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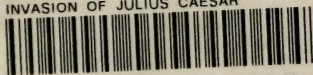
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INVASION OF JULIUS CAESAR



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THE  
HISTORY OF ENGLAND

FROM  
THE INVASION OF JULIUS CÆSAR  
TO  
THE ABDICATION OF JAMES THE SECOND,  
1688.

By DAVID HUME, Esq.,

1788  
A NEW EDITION,

WITH THE AUTHOR'S LAST CORRECTIONS AND IMPROVEMENTS.

TO WHICH IS PREFIXED

A SHORT ACCOUNT OF HIS LIFE,

WRITTEN BY HIMSELF.

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VOL. III.

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HENRY T. COATES & CO.

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VOL. III.

HENRY T. COATES & CO.



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# HISTORY OF ENGLAND.

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## CHAPTER XXXII.

DISPUTATION WITH LAMBERT.—A PARLIAMENT.—LAW OF THE SIX ARTICLES.—PROCLAMATIONS MADE EQUAL TO LAWS.—SETTLEMENT OF THE SUCCESSION.—KING'S PROJECTS OF MARRIAGE.—HE MARRIES ANNE OF CLEVES.—HE DISLIKES HER.—A PARLIAMENT.—FALL OF CROMWELL.—HIS EXECUTION.—KING'S DIVORCE FROM ANNE OF CLEVES.—HIS MARRIAGE WITH CATHERINE HOWARD.—STATE OF AFFAIRS IN SCOTLAND.—DISCOVERY OF THE QUEEN'S DISSOLUTE LIFE.—A PARLIAMENT.—ECCLESIASTICAL AFFAIRS.

THE rough hand of Henry seemed well adapted for rending asunder those bands by which the ancient superstition had fastened itself on the kingdom; and though, after renouncing the pope's supremacy and suppressing monasteries, most of the political ends of reformation were already attained, few people expected that he would stop at those innovations. The spirit of opposition, it was thought, would carry him to the utmost extremities against the church of Rome, and lead him to declare war against the whole doctrine and worship as well as discipline of that mighty hierarchy. He had formerly appealed from the pope to a general council; but now, when a general council was summoned to meet at Mantua, he previously renounced all submission to it, as summoned by the pope, and lying entirely under subjection to that spiritual usurper. He engaged his clergy to make a declaration to the like purpose; and he had prescribed to them many other deviations from ancient tenets and practices. Cranmer took advantage of every

opportunity to carry him on in this course ; and, while Queen Jane lived, who favored the reformers, he had, by means of her insinuation and address, been successful in his endeavors. After her death, Gardiner, who was returned from his embassy to France, kept the king more in suspense, and, by feigning an unlimited submission to his will, was frequently able to guide him to his own purposes. Fox, Bishop of Hereford, had supported Cranmer in his schemes for a more thorough reformation ; but his death had made way for the promotion of Bonner, who, though he had hitherto seemed a furious enemy to the court of Rome, was determined to sacrifice everything to present interest, and had joined the confederacy of Gardiner and the partisans of the old religion. Gardiner himself, it was believed, had secretly entered into measures with the pope, and even with the emperor ; and, in concert with these powers, he endeavored to preserve as much as possible the ancient faith and worship.

Henry was so much governed by passion, that nothing could have retarded his animosity and opposition against Rome but some other passion which stopped his career and raised him new objects of animosity. Though he had gradually, since the commencement of his scruples with regard to his first marriage, been changing the tenets of that theological system in which he had been educated, he was no less positive and dogmatical in the few articles which remained to him, than if the whole fabric had continued entire and unshaken ; and though he stood alone in his opinion, the flattery of courtiers had so inflamed his tyrannical arrogance, that he thought himself entitled to regulate, by his own particular standard, the religious faith of the whole nation. The point on which he chiefly rested his orthodoxy happened to be the real presence ; that very doctrine in which, among the numberless victories of superstition over common-sense, her triumph is the most signal and egregious. All departure from this principle he held to be heretical and detestable ; and nothing, he thought, would be more honorable for him than while he broke off all connections with the Roman pontiff, to maintain, in this essential article, the purity of the Catholic faith.

There was one Lambert,<sup>1</sup> a schoolmaster in London, who had been questioned and confined for unsound opinions by Archbishop Warham ; but upon the death of that prelate, and the change of counsels at court, he had been released.

<sup>1</sup> Fox, vol. ii. p. 396.

Not terrified with the danger which he had incurred, he still continued to promulgate his tenets ; and having heard Dr. Taylor, afterwards Bishop of Lincoln, defend, in a sermon, the corporeal presence, he could not forbear expressing to Taylor his dissent from that doctrine, and he drew up his objections under ten several heads. Taylor communicated the paper to Dr. Barnes, who happened to be a Lutheran, and who maintained that though the substance of bread and wine remained in the sacrament, yet the real body and blood of Christ were there also, and were, in a certain mysterious manner, incorporated with the material elements. By the present laws and practice, Barnes was no less exposed to the stake than Lambert ; yet such was the persecuting rage which prevailed that he determined to bring this man to condign punishment, because, in their common departure from the ancient faith, he had dared to go one step farther than himself. He engaged Taylor to accuse Lambert before Cranmer and Latimer, who, whatever their private opinions might be on these points, were obliged to conform themselves to the standard of orthodoxy established by Henry. When Lambert was cited before these prelates, they endeavored to bend him to a recantation, and they were surprised when, instead of complying, he ventured to appeal to the king.

The king, not displeased with an opportunity where he could at once assert his supremacy and display his learning, accepted the appeal, and resolved to mix, in a very unfair manner, the magistrate with the disputant. Public notice was given that he intended to enter the lists with the schoolmaster : scaffolds were erected in Westminster-hall for the accommodation of the audience. Henry appeared on his throne, accompanied with all the ensigns of majesty ; the prelates were placed on his right hand, the temporal peers on his left ; the judges and most eminent lawyers had a place assigned them behind the bishops, the courtiers of the greatest distinction behind the peers ; and in the midst of this splendid assembly was produced the unhappy Lambert, who was required to defend his opinions against his royal antagonist.<sup>2</sup>

The Bishop of Chichester opened the conference by saying that Lambert being charged with heretical pravity, had appealed from his bishop to the king, as if he expected more favor from this application, and as if the king could

<sup>2</sup> Fox, vol. ii. p. 426.

ever be induced to protect a heretic ; that though his majesty had thrown off the usurpations of the see of Rome, had disincorporated some idle monks who lived like drones in a beehive, had abolished the idolatrous worship of images, had published the Bible in English for the instruction of all his subjects, and had made some lesser alterations which every one must approve of, yet was he determined to maintain the purity of the Catholic faith, and to punish with the utmost severity all departure from it ; and that he had taken the present opportunity, before so learned and grave an audience, of convincing Lambert of his errors, but if he still continued obstinate in them, he must expect the most condign punishment.<sup>3</sup>

After this preamble, which was not very encouraging, the king asked Lambert, with a stern countenance, what his opinion was of Christ's corporeal presence in the sacrament of the altar ; and when Lambert began his reply with some compliment to his majesty, he rejected the praise with disdain and indignation. He afterwards pressed Lambert with arguments drawn from Scripture and the schoolmen. The audience applauded the force of his reasoning and the extent of his erudition : Cranmer seconded his proofs by some new topics ; Gardiner entered the lists as a support to Cranmer ; Tonsal took up the argument after Gardiner ; Stokesley brought fresh aid to Tonsal ; six bishops more appeared successively in the field after Stokesley ; and the disputation, if it deserves the name, was prolonged for five hours, till Lambert, fatigued, confounded, browbeaten, and abashed, was at last reduced to silence. The king, then returning to the charge, asked him whether he were convinced, and he proposed, as a concluding argument, this interesting question, Whether he were resolved to live or to die ? Lambert, who possessed that courage which consists in obstinacy, replied that he cast himself wholly on his majesty's clemency. The king told him that he would be no protector of heretics, and therefore, if that were his final answer, he must expect to be committed to the flames. Cromwell, as vicegerent, pronounced the sentence against him.<sup>4</sup>

Lambert, whose vanity had probably incited him the more to persevere, on account of the greatness of this public appearance, was not daunted by the terrors of the punishment to which he was condemned. His executioners took care to make the sufferings of a man who had person-

<sup>3</sup> Goodwin's Annals.

<sup>4</sup> See note [A] at the end of the volume.



ally opposed the king as cruel as possible : he was burned at a slow fire ; his legs and thighs were consumed to the stumps ; and when there appeared no end of his torments, some of the guards, more merciful than the rest, lifted him on their halberts, and threw him into the flames, where he was consumed. While they were employed in this friendly office, he cried aloud several times, "None but Christ, none but Christ ;" and these words were in his mouth when he expired.<sup>5</sup>

Some few days before this execution, four Dutch anabaptists, three men and a woman, had fagots tied to their backs at Paul's Cross, and were burned in that manner ; and a man and a woman of the same sect and country were burned in Smithfield.<sup>6</sup>

[1539.] It was the unhappy fate of the English during this age, that, when they labored under any grievance, they had not the satisfaction of expecting redress from Parliament ; on the contrary, they had reason to dread each meeting of that assembly, and were then sure of having tyranny converted into law and aggravated, perhaps, with some circumstance which the arbitrary prince and his ministers had not hitherto devised, or did not think proper of themselves to carry into execution. This abject servility never appeared more conspicuously than in a new Parliament, which the king now assembled, and which, if he had been so pleased, might have been the last that ever sat in England ; but he found them too useful instruments of dominion ever to entertain thoughts of giving them a total exclusion.

The chancellor opened the Parliament by informing the House of Lords that it was his majesty's earnest desire to extirpate from his kingdom all diversity of opinion in matters of religion ; and as this undertaking was, he owned, important and arduous, he desired them to choose a committee from among themselves, who might draw up certain articles of faith, and communicate them afterwards to the Parliament. The Lords named the vicar-general, Cromwell, now created a peer, the Archbishops of Canterbury and York, the Bishops of Durham, Carlisle, Worcester, Bath and Wells, Bangor and Ely. The House might have seen what a hopeful task they had undertaken ; this small committee itself was agitated with such diversity of opinion that it could come to no conclusion. The Duke of Norfolk then moved in the House that, since there were no hopes of

<sup>5</sup> Fox's Acts and Monuments, p. 427. Burnet.

<sup>6</sup> Stowe, p. 556.

having a report from the committee, the articles of faith intended to be established should be reduced to six, and a new committee be appointed to draw an act with regard to them. As this peer was understood to speak the sense of the king, his motion was immediately complied with; and, after a short prorogation, the bill of the *Six Articles*, or the bloody bill, as the Protestants justly termed it, was introduced, and, having passed the two Houses, received the royal assent.

In this law the doctrine of the real presence was established, the communion in one kind, the perpetual obligation of vows of chastity, the utility of private masses, the celibacy of the clergy, and the necessity of auricular confession. The denial of the first article, with regard to the real presence, subjected the person to death by fire, and to the same forfeiture as in cases of treason, and admitted not the privilege of abjuring—an unheard-of severity, and unknown to the Inquisition itself. The denial of any of the other five articles, even though recanted, was punishable by the forfeiture of goods and chattels, and imprisonment during the king's pleasure: an obstinate adherence to error, or a relapse, was adjudged to be felony, and punishable with death. The marriage of priests was subjected to the same punishment. Their commerce with women was, on the first offence, forfeiture and imprisonment; on the second, death. The abstaining from confession, and from receiving the eucharist at the accustomed times, subjected the person to fine, and to imprisonment during the king's pleasure; and if the criminal persevered after conviction, he was punishable by death and forfeiture, as in cases of felony.<sup>7</sup> Commissioners were to be appointed by the king for inquiring into these heresies and irregular practices, and the criminals were to be tried by a jury.

The king, in framing this law, laid his oppressive hand on both parties; and even the Catholics had reason to complain that the friars and nuns, though dismissed their convent, should be capriciously restrained to the practice of celibacy;<sup>8</sup> but as the Protestants were chiefly exposed to the severity of the statute, the misery of adversaries, according to the usual maxims of party, was regarded by the adherents to the ancient religion as their own prosperity and triumph. Cranmer had the courage to oppose this bill

<sup>7</sup> 31 Henry III. cap. 14. Herbert, in Kennet, p. 219.

<sup>8</sup> See note [B] at the end of the volume.

in the House; and, though the king desired him to absent himself, he could not be prevailed on to give this proof of compliance.<sup>9</sup> Henry was accustomed to Cranmer's freedom and sincerity, and, being convinced of the general rectitude of his intentions, gave him an unusual indulgence in this particular, and never allowed even a whisper against him. That prelate, however, was now obliged, in obedience to the statute, to dismiss his wife, the niece of Osiander, a famous divine of Nuremberg,<sup>10</sup> and Henry, satisfied with this proof of submission, showed him his former countenance and favor. Latimer and Shaxton threw up their bishoprics on account of the law, and were committed to prison.

The Parliament, having thus resigned all their religious liberties, proceeded to an entire surrender of their civil, and, without scruple or deliberation, they made by one act a total subversion of the English constitution. They gave to the king's proclamation the same force as to a statute enacted by Parliament; and to render the matter worse, if possible, they framed this law as if it were only declaratory, and were intended to explain the natural extent of royal authority. The preamble contains that the king had formerly set forth several proclamations, which froward persons had wilfully contemned, not considering what a king by his royal power may do; that this license might encourage offenders, not only to disobey the laws of Almighty God, but also to dishonor the king's most royal majesty, *who may full ill bear it*; that sudden emergencies often occur which require speedy remedies, and cannot await the slow assembling and deliberations of Parliament; and that though the king was empowered by his authority, derived from God, to consult the public good on these occasions, yet the opposition of refractory subjects might push him to extremity and violence: for these reasons, the Parliament, that they might remove all occasion of doubt, ascertained by a statute this prerogative of the crown, and enabled his majesty, with the advice of his council, to set forth proclamations enjoining obedience under whatever pains and penalties he should think proper; and these proclamations were to have the force of perpetual laws.<sup>11</sup>

What proves either a stupid or a wilful blindness in the Parliament is, that they pretended, even after this statute, to maintain some limitations in the government; and they

<sup>9</sup> Burnet, vol. i. pp. 249, 270. Fox, vol. ii. p. 1037.

<sup>10</sup> Herbert in Kennet, p. 219.

<sup>11</sup> 31 Henry VIII. cap. 8.

enacted that no proclamation should deprive any person of his lawful possessions, liberties, inheritances, privileges, franchises, nor yet infringe any common law or laudable custom of the realm. They did not consider that no penalty could be inflicted upon the disobeying of proclamations without invading some liberty or property of the subject, and that the power of enacting new laws, joined to the dispensing power, then exercised by the crown, amounted to a full legislative authority. It is true the kings of England had always been accustomed, from their own authority, to issue proclamations, and to exact obedience to them, and this prerogative was, no doubt, a strong symptom of absolute government; but still there was a difference between a power which was exercised on a particular emergence, and which must be justified by the present expedience or necessity, and an authority conferred by a positive statute which could no longer admit of control or limitation.

Could any act be more opposite to the spirit of liberty than this law, it would have been another of the same Parliament. They passed an act of attainder, not only against the Marquis of Exeter, the Lords Montacute, Darcy, Hussey, and others, who had been legally tried and condemned, but also against some persons of the highest quality, who had never been accused, or examined, or convicted. The violent hatred which Henry bore to Cardinal Pole had extended itself to all his friends and relations; and his mother in particular, the Countess of Salisbury, had on that account become extremely obnoxious to him. She was also accused of having employed her authority with her tenants to hinder them from reading the new translation of the Bible; of having procured bulls from Rome, which, it is said, had been seen at Coudray, her country-seat; and of having kept a correspondence with her son, the cardinal: but Henry found either that these offences could not be proved, or that they would not by law be subjected to such severe punishments as he desired to inflict upon her. He resolved, therefore, to proceed in a more summary and more tyrannical manner; and for that purpose he sent Cromwell, who was but too obsequious to his will, to ask the judges whether the Parliament could attain a person who was forthcoming without giving him any trial, or citing him to appear before them.<sup>12</sup> The judges replied that it was a dangerous question, and that the high court of Parliament ought to give the example

<sup>12</sup> Coke's 4th Inst. pp. 37, 38.



to inferior courts of proceeding according to justice: no inferior court could act in that arbitrary manner, and they thought that the Parliament never would. Being pressed to give a more explicit answer, they replied that if a person were attainted in that manner, the attainder could never afterwards be brought in question, but must remain good in law. Henry learned by this decision that such a method of proceeding, though directly contrary to all the principles of equity, was yet practicable; and this being all he was anxious to know, he resolved to employ it against the Countess of Salisbury. Cromwell showed to the House of Peers a banner on which were embroidered the five wounds of Christ, the symbol chosen by the northern rebels; and this banner, he affirmed, was found in the countess's house.<sup>13</sup> No other proof seems to have been produced in order to ascertain her guilt: the Parliament, without farther inquiry, passed a bill of attainder against her, and they involved in the same bill, without any better proof, as far as appears, Gertrude, Marchioness of Exeter, Sir Adrian Fortescue, and Sir Thomas Dingley. These two gentlemen were executed; the marchioness was pardoned, and survived the king; the countess received a reprieve.

The only beneficial act passed this session was that by which the Parliament confirmed the surrender of monasteries; yet even this act contains much falsehood, much tyranny, and were it not that all private rights must submit to public interest, much injustice and iniquity. The scheme of engaging the abbots to surrender their monasteries had been conducted, as may easily be imagined, with many invidious circumstances: arts of all kinds had been employed; every motive that could work on the frailty of human nature had been set before them; and it was with great difficulty that these dignified conventuals were brought to make a concession, which most of them regarded as destructive of their interests, as well as sacrilegious and criminal in itself.<sup>14</sup> Three abbots had shown more constancy than the rest: the abbots of Colchester, Reading, and Glastonbury; and in order to punish them for their opposition, and make them an example to others, means had been found to convict them of treason; they had perished by the hands of the executioner, and the revenue of the convents had been forfeited.<sup>15</sup> Besides, though none of these violences

<sup>13</sup> Rymer, vol. xiv. p. 652.

<sup>14</sup> Collier, vol. ii. p. 153, et seq.

<sup>15</sup> 31 Henry VIII. cap. 10.

had taken place, the king knew that a surrender made by men who were only tenants for life would not bear examination, and he was therefore resolved to make all sure by his usual expedient, an act of Parliament. In the preamble to this act, the Parliament asserts that all the surrenders made by the abbots had been "without constraint, of their own accord, and according to due course of common law." And in consequence, the two Houses confirmed the surrenders, and secured the property of the abbey lands to the king and his successors forever.<sup>16</sup> It is remarkable that all the mitred abbots still sat in the House of Peers, and that none of them made any protests against this injurious statute.

In this session the rank of all the great officers of state was fixed; Cromwell, as vicegerent, had the precedence assigned him above all of them. It was thought singular that a blacksmith's son, for he was no other, should have place next the royal family, and that a man possessed of no manner of literature should be set at the head of the church.

As soon as the act of the six articles had passed, the Catholics were extremely vigilant in informing against offenders, and no less than five hundred persons were in a little time thrown into prison. But Cromwell, who had not had interest to prevent that act, was able, for the present, to elude its execution. Seconded by the Duke of Suffolk and Chancellor Audley, as well as by Cranmer, he remonstrated against the cruelty of punishing so many delinquents, and he obtained permission to set them at liberty. The uncertainty of the king's humor gave each party an opportunity of triumphing in its turn. No sooner had Henry passed this law, which seemed to inflict so deep a wound on the reformers, than he granted a general permission for every one to have the new translation of the Bible in his family—a concession regarded by that party as an important victory.

But as Henry was observed to be much governed by his wives, while he retained his fondness for them, the final prevalence of either party seemed much to depend on the choice of the future queen. Immediately after the death of Jane Seymour, the most beloved of all his wives, he began to think of a new marriage. He first cast his eye towards the duchess-dowager of Milan, niece to the emperor, and he made proposals for that alliance; but meeting with difficulties, he was carried by his friendship for Francis rather

<sup>16</sup> 31 Henry VIII. cap. 13.

to think of a French princess. He demanded the duchess-dowager of Longueville, daughter of the Duke of Guise, a prince of the house of Lorraine; but Francis told him that the lady was already betrothed to the King of Scotland. The king, however, would not take a refusal; he had set his heart extremely on the match; the information which he had received of the duchess's accomplishments and beauty had prepossessed him in her favor; and having privately sent over Meautys to examine her person, and get certain intelligence of her conduct, the accounts which that agent brought him served farther to inflame his desires. He learned that she was big made, and he thought her on that account the more proper match for him, who was now become somewhat corpulent. The pleasure, too, of mortifying his nephew, whom he did not love, was a farther incitement to his prosecution of this match; and he insisted that Francis should give him the preference to the King of Scots. But Francis, though sensible that the alliance of England was of much greater importance to his interests, would not affront his friend and ally; and, to prevent farther solicitation, he immediately sent the princess to Scotland. Not to shock, however, Henry's humor, Francis made him an offer of Mary of Bourbon, daughter of the Duke of Vendôme; but as the king was informed that James had formerly rejected this princess, he would not hear any farther of such a proposal. The French monarch then offered him the choice of the two younger sisters of the Queen of Scots. and he assured him that they were nowise inferior, either in merit or size, to their elder sister, and that one of them was even superior in beauty. The king was as scrupulous with regard to the person of his wives as if his heart had been really susceptible of a delicate passion, and he was unwilling to trust any relations, or even pictures, with regard to this important particular. He proposed to Francis that they should have a conference at Calais, on pretence of business, and that this monarch should bring along with him the two princesses of Guise, together with the finest ladies of quality in France, that he might make a choice among them. But the gallant spirit of Francis was shocked with the proposal; he was impressed with too much regard, he said, for the fair sex, to carry ladies of the first quality like geldings to a market, there to be chosen or rejected by the humor of the purchaser.<sup>17</sup> Henry would hearken to none of

<sup>17</sup> Le Grand, vol. iii. p. 633.

these niceties, but still insisted on his proposal, which, however, notwithstanding Francis's earnest desire of obliging him, was finally rejected.

The king then began to turn his thoughts towards a German alliance; and as the princes of the Smalcaldic league were extremely disgusted with the emperor, on account of his persecuting their religion, he hoped, by matching himself into one of their families, to renew a connection which he regarded as so advantageous to him. Cromwell joyfully seconded this intention, and proposed to him Anne of Cleves, whose father, the duke of that name, had great interest among the Lutheran princes, and whose sister, Sibylla, was married to the Elector of Saxony, the head of the Protestant league. A flattering picture of the princess by Hans Holbein determined Henry to apply to her father; and, after some negotiation, the marriage, notwithstanding the opposition of the Elector of Saxony, was at last concluded, and Anne was sent over to England. The king, impatient to be satisfied with regard to the person of his bride, came privately to Rochester, and got a sight of her. He found her big indeed and tall as he could wish, but utterly destitute both of beauty and grace—very unlike the pictures and representations which he had received; he swore she was a great Flanders mare, and declared that he never could possibly bear her any affection. The matter was worse when he found that she could speak no language but Dutch, of which he was entirely ignorant, and that the charms of her conversation were not likely to compensate for the homeliness of her person. He returned to Greenwich very melancholy, and he much lamented his hard fate to Cromwell, as well as to Lord Russel, Sir Anthony Brown, and Sir Anthony Denny. This last gentleman, in order to give him comfort, told him that his misfortune was common to him with all kings, who could not, like private persons, choose for themselves, but must receive their wives from the judgment and fancy of others.

It was the subject of debate among the king's counsellors whether the marriage could not yet be dissolved, and the princess be sent back to her own country. Henry's situation seemed at that time very critical. After the ten years' truce concluded between the emperor and the King of France, a good understanding was thought to have taken place between these rival monarchs, and such marks of union appeared as gave great jealousy to the court of Eng-



land. The emperor, who knew the generous nature of Francis, even put a confidence in him, which is rare, to that degree, among great princes. An insurrection had been raised in the Low Countries by the inhabitants of Ghent, and seemed to threaten the most dangerous consequences. Charles, who resided at that time in Spain, resolved to go in person to Flanders, in order to appease those disorders, but he found great difficulties in choosing the manner of his passing thither. The road by Italy and Germany was tedious; the voyage through the channel dangerous by reason of the English naval power: he asked Francis's permission to pass through his dominions, and he intrusted himself into the hands of a rival whom he had so mortally offended. The French monarch received him at Paris with great magnificence and courtesy; and, though prompted both by revenge and interest, as well as by the advice of his mistress and favorites, to make advantage of the present opportunity, he conducted the emperor safely out of his dominions, and would not so much as speak to him of business during his abode in France, lest his demands should bear the air of violence upon his royal guest.

Henry, who was informed of all these particulars, believed that an entire and cordial union had taken place between these princes, and that their religious zeal might prompt them to fall with combined arms upon England.<sup>18</sup> An alliance with the German princes seemed now more than ever requisite for his interest and safety, and he knew that if he sent back the Princess of Cleves, such an affront would be highly resented by her friends and family. He was therefore resolved, notwithstanding his aversion to her, to complete the marriage, and he told Cromwell that, since matters had gone so far, he must put his neck into the yoke. Cromwell, who knew how much his own interests were concerned in this affair, was very anxious to learn from the king, next morning after the marriage, whether he now liked his spouse any better. The king told him that he hated her worse than ever, and that her person was more disgusting on a near approach; he was resolved never to meddle with her, and even suspected her not to be a true maid—a point about which he entertained an extreme delicacy. He continued, however, to be civil to Anne; he even seemed to repose his usual confidence in Cromwell; but though he exerted this

<sup>18</sup> Stowe, p. 579.

command over himself, a discontent lay lurking in his breast, and was ready to burst out on the first opportunity.

A session of Parliament was held, and none of the abbots were now allowed a place in the House of Peers. The king, by the mouth of the chancellor, complained to the Parliament of the great diversity of religions which still prevailed among his subjects—a grievance, he affirmed, which ought the less to be endured because the Scriptures were now published in English, and ought universally to be the standard of belief to all mankind. But he had appointed, he said, some bishops and divines to draw up a list of tenets, to which the people were to assent, and he was determined that Christ, the doctrine of Christ, and the truth, should have the victory. The king seems to have expected more effect in ascertaining truth from this new book of his doctors than had ensued from the publication of the Scriptures. Cromwell, as vicar-general, made also, in the king's name, a speech to the Upper House; and the Peers, in return, bestowed great flattery on him, and in particular said that he was worthy, by his desert, to be vicar-general of the universe. That minister seemed to be no less in his master's good graces; he received, soon after the sitting of the Parliament, the title of Earl of Essex, and was installed knight of the garter.

There remained only one religious order in England—the Knights of St. John of Jerusalem, or the Knights of Malta, as they are commonly called. This order, partly ecclesiastical, partly military, had by their valor done great service to Christendom, and had very much retarded at Jerusalem, Rhodes, and Malta the rapid progress of the barbarians. During the general surrender of the religious houses in England, they had exerted their spirit, and had obstinately refused to yield up their revenues to the king; and Henry, who would endure no society that professed obedience to the pope, was obliged to have recourse to Parliament for the dissolution of this order. Their revenues were large, and formed an addition nowise contemptible to the many acquisitions which the king had already made. But he had very ill husbanded the great revenue acquired by the plunder of the church; his profuse generosity dissipated faster than his rapacity could supply; and the Parliament was surprised this session to find a demand made upon them of four-tenths and a subsidy of one shilling in the pound during two years: so ill were the public expectations answered that

the crown was never more to require any supply from the people. The Commons, though lavish of their liberty and of the blood of their fellow-subjects, were extremely frugal of their money; and it was not without difficulty so small a grant could be obtained by this absolute and dreaded monarch. The convocation gave the king four shillings in the pound, to be levied in two years. The pretext for these grants was the great expense which Henry had undergone for the defence of the realm, in building forts along the sea-coast and in equipping a navy. As he had at present no ally on the continent on whom he reposed much confidence, he relied only on his domestic strength, and was, on that account obliged to be more expensive in his preparations against the danger of an invasion.

The king's favor to Cromwell, and his acquiescence in the marriage with Anne of Cleves, were both of them deceitful appearances; his aversion to the queen secretly increased every day; and, having at last broken all restraint, it prompted him at once to seek the dissolution of a marriage so odious to him, and to involve his minister in ruin, who had been the innocent author of it. The fall of Cromwell was hastened by other causes. All the nobility hated a man who, being of such low extraction, had not only mounted above them by his station of vicar-general, but had engrossed many of the other considerable offices of the crown; besides enjoying that commission, which gave him a high and almost absolute authority over the clergy, and even over the laity, he was privy seal, chamberlain, and master of the wards; he had also obtained the order of the garter—a dignity which had ever been conferred only on men of illustrious families, and which seemed to be profaned by its being communicated to so mean a person. The people were averse to him, as the supposed author of the violence on the monasteries—establishments which were still revered and beloved by the commonalty. The Catholics regarded him as the concealed enemy of their religion; the Protestants, observing his exterior concurrence with all the persecutions exercised against them, were inclined to bear him as little favor, and reproached him with the timidity, if not treachery, of his conduct; and the king, who found that great clamors had, on all hands, arisen against the administration, was not displeased to throw on Cromwell the load of public hatred; and he hoped, by making so easy a sacrifice, to regain the affections of his subjects.

But there was another cause, which suddenly set all these motives in action, and brought about an unexpected revolution in the ministry. The king had fixed his affection on Catherine Howard, niece of the Duke of Norfolk; and being determined to gratify this new passion, he could find no expedient, but by procuring a divorce from his present consort, to raise Catherine to his bed and throne. The duke, who had long been engaged in enmity with Cromwell, made the same use of her insinuations to ruin this minister that he had formerly done of Anne Boleyn's against Wolsey; and when all engines were prepared, he obtained a commission from the king to arrest Cromwell at the council-table, on an accusation of high treason, and to commit him to the Tower. Immediately after a bill of attainder was framed against him; and the House of Peers thought proper, without trial, examination, or evidence, to condemn to death a man whom, a few days before, they had declared worthy to be vicar-general of the universe. The House of Commons passed the bill, though not without some opposition. Cromwell was accused of heresy and treason; but the proofs of his treasonable practices are utterly improbable, and even absolutely ridiculous.<sup>19</sup> The only circumstance of his conduct by which he seems to have merited this fate was his being the instrument of the king's tyranny, in conducting like iniquitous bills, in the preceding session, against the Countess of Salisbury and others.

Cromwell endeavored to soften the king by the most humble supplications; but all to no purpose: it was not the practice of that prince to ruin his ministers and favorites by halves; and though the unhappy prisoner once wrote to him in so moving a strain as even to draw tears from his eyes, he hardened himself against all movements of pity, and refused his pardon. The conclusion of Cromwell's letter ran in these words: "I, a most woeful prisoner, am ready to submit to death, when it shall please God and your majesty; and yet the frail flesh incites me to call to your grace for mercy and pardon of mine offences. Written at the Tower with the heavy heart and trembling hand of your highness's most miserable prisoner and poor slave, Thomas Cromwell." And a little below: "Most gracious prince, I cry for mercy, mercy, mercy."<sup>20</sup> When brought to the place of execution, he avoided all earnest protestations of his innocence, and all complaints against the sentence pro-

<sup>19</sup> Burnet, vol. i. p. 278.

<sup>20</sup> Burnet, vol. i. pp. 281, 282.



nounced upon him. He knew that Henry would resent on his son those symptoms of opposition to his will, and that his death alone would not terminate that monarch's vengeance. He was a man of prudence, industry, and abilities, worthy of a better master and of a better fate. Though raised to the summit of power from a low origin, he betrayed no insolence or contempt towards his inferiors, and was careful to remember all the obligations which, during his more humble fortune, he had owed to any one. He had served as a private sentinel in the Italian wars, when he received some good offices from a Lucquese merchant, who had entirely forgotten his person, as well as the service which he had rendered him. Cromwell, in his grandeur, happened, at London, to cast his eye on his benefactor, now reduced to poverty by misfortunes. He immediately sent for him, reminded him of their ancient friendship, and by his grateful assistance reinstated him in his former prosperity and opulence.<sup>21</sup>

The measures for divorcing Henry from Anne of Cleves were carried on at the same time with the bill of attainder against Cromwell. The House of Peers, in conjunction with the Commons, applied to the king, by petition, desiring that he would allow his marriage to be examined; and orders were immediately given to lay the matter before the convocation. Anne had formerly been contracted by her father to the Duke of Lorraine; but she, as well as the duke, were at that time under age, and the contract had been afterwards annulled by consent of both parties. The king, however, pleaded this precontract as a ground of divorce; and he added two reasons more, which may seem a little extraordinary: that when he espoused Anne he had not *inwardly* given his consent, and that he had not thought proper to consummate the marriage. The convocation was satisfied with these reasons, and solemnly annulled the marriage between the king and queen; the Parliament ratified the decision of the clergy,<sup>22</sup> and the sentence was soon after notified to the princess.

Anne was blest with a happy insensibility of temper, even in the points which the most nearly affect her sex; and the king's aversion towards her, as well as his prosecution of the divorce, had never given her the least uneasiness. She willingly hearkened to terms of accommodation with him; and when he offered to adopt her as his

<sup>21</sup> Burnet, vol. i. p. 172.

<sup>22</sup> See note [C] at the end of the volume.

sister, to give her place next the queen and his own daughter, and to make a settlement of three thousand pounds a year upon her, she accepted of the conditions, and gave her consent to the divorce.<sup>23</sup> She even wrote to her brother (for her father was now dead) that she had been very well used in England, and desired him to live on good terms with the king. The only instance of pride which she betrayed was, that she refused to return to her own country after the affront which she had received ; and she lived and died in England.

Notwithstanding Anne's moderation, this incident produced a great coldness between the king and the German princes ; but as the situation of Europe was now much altered, Henry was the more indifferent about their resentment. The close intimacy which had taken place between Francis and Charles had subsisted during a very short time ; the dissimilarity of their characters soon renewed with greater violence than ever their former jealousy and hatred. While Charles remained at Paris, Francis had been imprudently engaged, by his open temper, and by that satisfaction which a noble mind naturally feels in performing generous actions, to make in confidence some dangerous discoveries to that interested monarch ; and, having now lost all suspicion of his rival, he hoped that the emperor and he, supporting each other, might neglect every other alliance. He not only communicated to his guest the state of his negotiations with Sultan Solyman and the Venetians ; he also laid open the solicitations which he had received from the Court of England, to enter into a confederacy against him.<sup>24</sup> Charles had no sooner reached his own dominions than he showed himself unworthy of the friendly reception which he had met with. He absolutely refused to fulfil his promise, and put the Duke of Orleans in possession of the Milanese ; he informed Solyman and the senate of Venice of the treatment which they had received from their ally ; and he took care that Henry should not be ignorant how readily Francis had abandoned his ancient friend, to whom he owed such important obligations, and had sacrificed him to a new confederate. He even poisoned and misrepresented many things which the unsuspecting heart of the French monarch had disclosed to him. Had Henry possessed true judgment and generosity, this incident alone had been sufficient to guide him in the choice of his

<sup>23</sup> Herbert, pp. 458, 459.

<sup>24</sup> Père Daniel. Du Tillet.

ally; but his domineering pride carried him immediately to renounce the friendship of Francis, who had so unexpectedly given the preference to the emperor; and as Charles invited him to a renewal of ancient amity, he willingly accepted of the offer; and, thinking himself secure in this alliance, he neglected the friendship both of Francis and of the German princes.

The new turn which Henry had taken with regard to foreign affairs was extremely agreeable to his Catholic subjects; and as it had perhaps contributed, among other reasons, to the ruin of Cromwell, it made them entertain hopes of a final prevalence over their antagonists. The marriage of the king with Catherine Howard, which followed soon after his divorce from Anne of Cleves, was also regarded as a favorable incident to their party; and the subsequent events corresponded to their expectations. The king's counsels being now directed by Norfolk and Gardiner, a furious persecution commenced against the Protestants; and the law of the six articles was executed with rigor. Dr. Barnes, who had been the cause of Lambert's execution, felt in his turn the severity of the persecuting spirit; and, by a bill which passed in Parliament, he was, without trial, condemned to the flames, together with Jerome and Gerard. He discussed theological questions even at the stake; and as the dispute between him and the sheriff turned upon the invocation of saints, he said that he doubted whether saints could pray for us; but if they could, he hoped, in half an hour, to be praying for the sheriff and all the spectators. He next entreated the sheriff to carry to the king his dying request, which he fondly imagined would have authority with that monarch who had sent him to the stake. The purport of his request was, that Henry, besides repressing superstitious ceremonies, should be extremely vigilant in preventing fornication and common swearing.<sup>25</sup>

While Henry was exerting this violence against the Protestants, he spared not the Catholics who denied his supremacy; and a foreigner, at that time in England, had reason to say that those who were against the pope were burned, and those who were for him were hanged.<sup>26</sup> The king even displayed in an ostentatious manner this tyrannical impartiality, which reduced both parties to subjection, and infused terror into every breast. Barnes, Gerrard, and Jerome had been carried to the place of execution on three hurdles;

<sup>25</sup> Burnet, vol. i. p. 298. Fox.

<sup>26</sup> Fox, vol. ii. p. 529.

and along with them there was placed on each hurdle a Catholic, who was also executed for his religion. These Catholics were Abel, Fetherstone, and Powel, who declared that the most grievous part of their punishment was the being coupled to such heretical miscreants as suffered with them.<sup>27</sup>

Though the spirit of the English seemed to be totally sunk under the despotic power of Henry, there appeared some symptoms of discontent: an inconsiderable rebellion broke out in Yorkshire, headed by Sir John Nevil; but it was soon suppressed, and Nevil, with other ringleaders, was executed. [1541.] The rebels were supposed to have been instigated by the intrigues of Cardinal Pole; and the king was instantly determined to make the Countess of Salisbury, who already lay under sentence of death, suffer for her son's offences. He ordered her to be carried to execution; and this venerable matron maintained still, in these distressful circumstances, the spirit of that long race of monarchs from whom she was descended.<sup>28</sup> She refused to lay her head on the block, or submit to a sentence where she had received no trial. She told the executioner that if he would have her head, he must win it the best way he could; and thus, shaking her venerable gray locks, she ran about the scaffold, and the executioner followed her with his axe, aiming many fruitless blows at her neck before he was able to give the fatal stroke. Thus perished the last of the line of Plantagenet, which, with great glory, but still greater crimes and misfortunes, had governed England for the space of three hundred years. Lord Leonard Grey, a man who had formerly rendered service to the crown, was also beheaded for treason soon after the Countess of Salisbury. We know little concerning the grounds of his prosecution.

The insurrection in the north engaged Henry to make a progress thither, in order to quiet the minds of his people, to reconcile them to his government, and to abolish the ancient superstitions, to which those parts were much addicted. He had also another motive for this journey; he proposed to have a conference at York with his nephew the King of Scotland, and, if possible, to cement a close and indissoluble union with that kingdom.

The same spirit of religious innovation, which had seized other parts of Europe, had made its way into Scotland, and had begun, before this period, to excite the same jealousies,

<sup>27</sup> Saunders, de Schism. Angl.

<sup>28</sup> Herbert, p. 468.



fears, and persecutions. About the year 1527, Patrick Hamilton, a young man of a noble family, having been created Abbot of Ferne, was sent abroad for his education, but had fallen into company with some reformers, and he returned into his own country, very ill disposed towards that church of which his birth and his merit entitled him to attain the highest dignities. The fervor of youth and his zeal for novelty made it impossible for him to conceal his sentiments; and Campbel, prior of the Dominicans, who, under color of friendship and a sympathy in opinion, had insinuated himself into his confidence, accused him before Beaton, Archbishop of St. Andrew's. Hamilton was invited to St. Andrew's, in order to maintain, with some of the clergy, a dispute concerning the controverted points; and after much reasoning with regard to justification, free-will, original sin, and other topics of that nature, the conference ended with their condemning Hamilton to be burned for his errors. The young man, who had been deaf to the insinuations of ambition, was less likely to be shaken with the fears of death; while he proposed to himself both the glory of bearing testimony to the truth and the immediate reward attending his martyrdom. The people, who compassionated his youth, his virtue, and his noble birth, were much moved at the constancy of his end; and an incident which soon followed still more confirmed them in their favorable sentiments towards him. He had cited Campbel, who still insulted him at the stake, to answer before the judgment-seat of Christ; and as that persecutor, either astonished with these events, or overcome with remorse, or perhaps seized casually with a distemper, soon after lost his senses, and fell into a fever, of which he died, the people regarded Hamilton as a prophet as well as a martyr.<sup>29</sup>

Among the disciples converted by Hamilton was one Friar Forrest, who became a zealous preacher, and who, though he did not openly discover his sentiments, was suspected to lean towards the new opinions. His diocesan, the Bishop of Dunkeld, enjoined him, when he met with a good epistle or good gospel which favored the liberties of holy church, to preach on it, and let the rest alone. Forrest replied that he had read both Old and New Testament, and had not found an ill epistle or ill gospel in any part of them. This extreme attachment to the Scriptures was re-

<sup>29</sup> Spotswood's Hist. of the Church of Scotland, p. 62.

garded in those days as a sure characteristic of heresy ; and Forrest was soon after brought to trial, and condemned to the flames. While the priests were deliberating on the place of his execution, a bystander advised them to burn him in a cellar, for that the smoke of Mr. Patrick Hamilton had infected all those on whom it blew.<sup>30</sup>

The clergy were at that time reduced to great difficulties, not only in Scotland but all over Europe. As the reformers aimed at a total subversion of ancient establishments, which they represented as idolatrous, impious, and detestable, the priests, who found both their honors and properties at stake, thought that they had a right to resist, by every expedient, these dangerous invaders, and that the same simple principle of equity which justified a man in killing a pirate or a robber would acquit them for the execution of such heretics. A toleration, though it is never acceptable to ecclesiastics, might, they said, be admitted in other cases, but seemed an absurdity where fundamentals were shaken, and where the possessions, and even the existence, of the established clergy were brought in danger. But though the church was thus carried by policy, as well as inclination, to kindle the fires of persecution, they found the success of this remedy very precarious, and observed that the enthusiastic zeal of the reformers, inflamed by punishment, was apt to prove contagious on the compassionate minds of the spectators. The new doctrine, amidst all the dangers to which it was exposed, secretly spread itself everywhere, and the minds of men were gradually disposed to a revolution in religion.

But the most dangerous symptom for the clergy in Scotland was, that the nobility, from the example of England, had cast a wishful eye on the church revenues, and hoped, if a reformation took place, to enrich themselves by the plunder of the ecclesiastics. James himself, who was very poor, and was somewhat inclined to magnificence, particularly in building, had been swayed by like motives, and began to threaten the clergy with the same fate that had attended them in the neighboring country. Henry also never ceased exhorting his nephew to imitate his example ; and being moved both by the pride of making proselytes and the prospect of security, should Scotland embrace a close union with him, he solicited the King of Scots to meet him at York, and he obtained a promise to that purpose.

The ecclesiastics were alarmed at this resolution of

<sup>30</sup> Spotswood's Hist. of the Church of Scotland, p. 65.

James, and they employed every expedient in order to prevent the execution of it. They represented the danger of innovation; the pernicious consequences of aggrandizing the nobility, already too powerful; the hazard of putting himself into the hands of the English, his hereditary enemies; the dependence on them which must ensue upon his losing the friendship of France and of all foreign powers. To these considerations they added the prospect of immediate interest, by which they found the king to be much governed; they offered him a present gratuity of fifty thousand pounds; they promised him that the church should always be ready to contribute to his supply; and they pointed out to him the confiscation of heretics, as the means of filling his exchequer, and of adding a hundred thousand a year to the crown revenues.<sup>31</sup> The insinuations of his new queen, to whom youth, beauty, and address had given a powerful influence over him, seconded all these reasons; and James was at last engaged, first to delay his journey, then to send excuses to the King of England, who had already come to York, in order to be present at the interview.<sup>32</sup>

Henry, vexed with the disappointment and enraged at the affront, vowed vengeance against his nephew; and he began, by permitting piracies at sea and incursions at land, to put his threats in execution. But he received soon after, in his own family, an affront to which he was much more sensible, and which touched him in a point where he always showed an extreme delicacy. He had thought himself very happy in his new marriage; the agreeable person and disposition of Catherine had entirely captivated his affections, and he made no secret of his devoted attachment to her. He had even publicly, in his chapel, returned solemn thanks to heaven for the felicity which the conjugal state afforded him; and he directed the Bishop of Lincoln to compose a form of prayer for that purpose. But the queen's conduct very little merited this tenderness: one Lascelles brought intelligence of her dissolute life to Cranmer, and told him that his sister, formerly a servant in the family of the old Duchess of Norfolk, with whom Catherine was educated, had given him a particular account of her licentious manners.

<sup>31</sup> Buchanan, lib. 14. Drummond in Ja. 5. Pitseotie, *ibid.* Knox.

<sup>32</sup> Henry had sent some books, richly ornamented, to his nephew, who, as soon as he saw by the titles that they had a tendency to defend the new doctrines, threw them into the fire, in the presence of the person who brought them; adding, it was better he should destroy them than they him. (See *Epist.* Reginald Pole, Part 1, p. 172.)

Derham and Mannoc, both of them servants to the duchess, had been admitted to her bed; and she had even taken little care to conceal her shame from the other servants of the family. The primate, struck with this intelligence, which it was equally dangerous to conceal or to discover, communicated the matter to the Earl of Hertford and to the chancellor. They agreed that the matter should by no means be buried in silence; and the archbishop himself seemed the most proper person to disclose it to the king. Cranmer, unwilling to speak on so delicate a subject, wrote a narrative of the whole, and conveyed it to Henry, who was infinitely astonished at the intelligence. So confident was he of the fidelity of his consort, that at first he gave no credit to the information; and he said to the privy-seal, to Lord Russel, high admiral, Sir Anthony Brown, and Wriothesley, that he regarded the whole as a falsehood. Cranmer was now in a very perilous situation, and had not full proof been found, certain and inevitable destruction hung over him. The king's impatience, however, and jealousy prompted him to search the matter to the bottom: the privy-seal was ordered to examine Lascelles, who persisted in the information he had given, and still appealed to his sister's testimony. That nobleman next made a journey, under pretence of hunting, and went to Sussex, where the woman at that time resided; he found her both constant in her former intelligence and particular as to the facts; and the whole bore but too much the face of probability. Mannoc and Derham, who were arrested at the same time and examined by the chancellor, made the queen's guilt entirely certain by their confession, and discovered other particulars which redounded still more to her dishonor. Three maids of the family were admitted into her secrets, and some of them had even passed the night in bed with her and her lovers. All the examinations were laid before the king, who was so deeply affected that he remained a long time speechless, and at last burst into tears. He found, to his surprise, that his great skill in distinguishing a true maid, of which he boasted in the case of Anne of Cleves, had failed him in that of his present consort. The queen, being next questioned, denied her guilt; but when informed that a full discovery was made, she confessed that she had been criminal before marriage, and only insisted that she had never been false to the king's bed. But as there was evidence that one Colepepper had passed the night with her



alone since her marriage, and as it appeared that she had taken Derham, her old paramour, into her service, she seemed to deserve little credit in this asseveration ; and the king, besides, was not of a humor to make any difference between these degrees of guilt.

[1542.] Henry found that he could not by any means so fully or expeditiously satiate his vengeance on all these criminals as by assembling a Parliament, the usual instrument of his tyranny. The two Houses, having received the queen's confession, made an address to the king. They entreated him not to be vexed with this untoward accident, to which all men were subject, but to consider the frailty of human nature and the mutability of human affairs, and from these views to derive a subject of consolation. They desired leave to pass a bill of attainder against the queen and her accomplices, and they begged him to give his assent to this bill not in person, which would renew his vexation, and might endanger his health, but by commissioners appointed for that purpose ; and as there was a law in force making it treason to speak ill of the queen, as well as of the king, they craved his royal pardon if any of them should, on the present occasion, have transgressed any part of the statute.

Having obtained a gracious answer to these requests, the Parliament proceeded to vote a bill of attainder for treason against the queen and the Viscountess of Rocheford, who had conducted her secret amours ; and in this bill Colepepper and Derham were also comprehended. At the same time they passed a bill of attainder for misprision of treason against the old Duchess of Norfolk, Catherine's grandmother, her uncle, Lord William Howard, and his lady, together with the Countess of Bridgewater, and nine persons more, because they knew the queen's vicious course of life before her marriage, and had concealed it. This was an effect of Henry's usual extravagance, to expect that parents should so far forget the ties of natural affection, and the sentiments of shame and decency, as to reveal to him the most secret disorders of their family. He himself seems to have been sensible of the cruelty of this proceeding, for he pardoned the Duchess of Norfolk, and most of the others condemned for misprision of treason.

However, to secure himself for the future, as well as his successors, from this fatal accident, he engaged the Parliament to pass a law somewhat extraordinary. It was enacted that any one who knew or vehemently suspected any

guilt in the queen might, within twenty days, disclose it to the king or council, without incurring the penalty of any former law against defaming the queen, but prohibiting every one, at the same time, from spreading the matter abroad, or even privately whispering it to others; it was also enacted that if the king married any woman who had been incontinent, taking her for a true maid, she should be guilty of treason if she did not previously reveal her guilt to him. The people made merry with this singular clause, and said that the king must henceforth look out for a widow, for no reputed maid would ever be persuaded to incur the penalty of the statute.<sup>33</sup> After all these laws were passed, the queen was beheaded on Tower-hill, together with Lady Rocheford. They behaved in a manner suitable to their dissolute life; and as Lady Rocheford was known to be the chief instrument in bringing Anne Boleyn to her end, she died unpitied; and men were farther confirmed, by the discovery of this woman's guilt, in the favorable sentiments which they had entertained of that unfortunate queen.

The king made no demand of any subsidy from this Parliament; but he found means of enriching his exchequer from another quarter: he took farther steps towards the dissolution of colleges, hospitals, and other foundations of that nature. The courtiers had been practising on the presidents and governors to make a surrender of their revenues to the king; and they had been successful with eight of them. But there was an obstacle to their farther progress: it had been provided, by the local statutes of most of these foundations, that no president, or any number of fellows, could consent to such a deed without the unanimous vote of all the fellows; and this vote was not easily obtained. All such statutes were annulled by Parliament; and the revenues of these houses were now exposed to the rapacity of the king and his favorites.<sup>34</sup> The church had been so long their prey, that nobody was surprised at any new inroads made upon her. From the regular, Henry now proceeded to make devastations on the secular clergy. He extorted from many of the bishops a surrender of chapter lands; and by this device he pillaged the sees of Canterbury, York, and London, and enriched his greedy parasites and flatterers with their spoils.

The clergy have been commonly so fortunate as to make a concern for their temporal interests go hand in hand with

<sup>33</sup> Burnet, vol. i. p. 314.

<sup>34</sup> See note [D] at the end of the volume.

a jealousy for orthodoxy, and both these passions be regarded by the people, ignorant and superstitious, as proofs of zeal for religion; but the violent and headstrong character of Henry now disjoined these objects. His rapacity was gratified by plundering the church, his bigotry and arrogance by persecuting heretics. Though he engaged the Parliament to mitigate the penalties of the six articles, so far as regards the marriage of priests, which was now only subjected to a forfeiture of goods, chattels, and lands during life, he was still equally bent on maintaining a rigid purity in speculative principles. He had appointed a commission, consisting of the two archbishops, and several bishops of both provinces, together with a considerable number of doctors of divinity; and by virtue of his ecclesiastical supremacy, he had given them in charge to choose a religion for his people. Before the commissioners had made any progress in this arduous undertaking, the Parliament, in 1541, had passed a law by which they ratified all the tenets which these divines should thereafter establish with the king's consent; and they were not ashamed of thus expressly declaring that they took their religion upon trust, and had no other rule, in spiritual as well as temporal concerns, than the arbitrary will of their master. There is only one clause of the statute which may seem at first sight to savor somewhat of the spirit of liberty: it was enacted that the ecclesiastical commissioners should establish nothing repugnant to the laws and statutes of the realm. But in reality this proviso was inserted by the king to serve his own purposes. By introducing a confusion and contradiction into the laws, he became more master of every one's life and property. And as the ancient independency of the church still gave him jealousy, he was well pleased, under cover of such a clause, to introduce appeals from the spiritual to the civil courts. It was for a like reason that he would never promulgate a body of canon law; and he encouraged the judges on all occasions to interpose in ecclesiastical causes, wherever they thought the law of royal prerogative concerned. A happy innovation, though at first invented for arbitrary purposes!

The king, armed by the authority of Parliament, or rather by their acknowledgment of that spiritual supremacy which he believed inherent in him, employed his commissioners to select a system of tenets for the assent and belief of the nation. A small volume was soon after published,

called the *Institution of a Christian Man*, which was received by the convocation, and voted to be the standard of orthodoxy. All the delicate points of justification, faith, free-will, good works, and grace are there defined with a leaning towards the opinion of the reformers: the sacraments, which a few years before were only allowed to be three, were now increased to the number of seven, conformably to the sentiments of the Catholics. The king's caprice is discernible throughout the whole, and the book is in reality to be regarded as his composition; for Henry, while he made his opinion a rule for the nation, would tie his own hands by no canon or authority, not even by any which he himself had formerly established.

The people had occasion, soon after, to see a farther instance of the king's inconstancy. He was not long satisfied with his *Institution of a Christian Man*; he ordered a new book to be composed, called the *Erudition of a Christian Man*; and, without asking the assent of the convocation, he published by his own authority, and that of the Parliament, this new model of orthodoxy. It differs from the *Institution*; <sup>35</sup> but the king was no less positive in his new creed than he had been in the old, and he required the belief of the nation to veer about at his signal. In both these compositions he was particularly careful to inculcate the doctrine of passive obedience, and he was equally careful to retain the nation in the practice.

While the king was spreading his own books among the people, he seems to have been extremely perplexed, as were also the clergy, what course to take with the Scriptures. A review had been made, by the synod, of the new translation of the Bible; and Gardiner had proposed that, instead of employing English expressions throughout, several Latin words should still be preserved; because they contained, as he pretended, such peculiar energy and significance that they had no correspondent terms in the vulgar tongue.<sup>36</sup> Among these were, *ecclesia*, *pœnitentia*, *pontifex*, *contritus*, *holocausta*, *sacramentum*, *elementa*, *ceremonia*, *mysterium*, *presbyter*, *sacrificium*, *humilitas*, *satisfactio*, *peccatum*, *gratia*, *hostia*, *charitas*, etc. But as this mixture would have appeared extremely barbarous, and was plainly calculated for no other purpose than to retain the people in their ancient ignorance, the proposal was rejected. The knowledge of the people, however, at least their disputative turn,

<sup>35</sup> Collier, vol. ii. p. 190.

<sup>36</sup> Burnet, vol. i. p. 315.



seemed to be an inconvenience still more dangerous ; and the king and Parliament,<sup>37</sup> soon after the publication of the Scriptures, retracted the concession which they had formerly made, and prohibited all but gentlemen and merchants from perusing them.<sup>38</sup> Even that liberty was not granted without an apparent hesitation, and a dread of the consequences : these persons were allowed to read, *so it be done quietly and with good order*. And the preamble to the act sets forth “that many seditious and ignorant persons had abused the liberty granted them of reading the Bible, and that great diversity of opinion, animosities, tumults, and schisms had been occasioned by perverting the sense of the Scriptures.” It seemed very difficult to reconcile the king’s model for uniformity with the permission of free inquiry.

The mass-book also passed under the king’s revisal, and little alteration was as yet made in it ; some doubtful or fictitious saints only were struck out, and the name of the pope was erased. This latter precaution was likewise used with regard to every new book that was printed, or even old book that was sold. The word pope was carefully omitted or blotted out ;<sup>39</sup> as if that precaution could abolish the term from the language, or as if such a persecution of it did not rather imprint it more strongly in the memory of the people.

The king took care, about this time, to clear the churches from another abuse which had crept into them. Plays, interludes, and farces were there often acted in derision of the former superstitions ; and the reverence of the multitude for ancient principles and modes of worship was thereby gradually effaced.<sup>40</sup> We do not hear that the Catholics attempted to retaliate by employing this powerful engine against their adversaries, or endeavored, by like arts, to expose that fanatical spirit by which it appears the reformers were frequently actuated. Perhaps the people were not disposed to relish a jest on that side ; perhaps the greater simplicity and the more spiritual abstract worship of the Protestants gave less hold to ridicule, which is commonly founded on sensible representations. It was, therefore, a

<sup>37</sup> Which met on January 22, 1543.

<sup>38</sup> 33 Henry VIII. cap. 1. The reading of the Bible, however, could not at that time have much effect in England, where so few persons had learned to read. There were but five hundred copies printed of this first authorized edition of the Bible—a book of which there are now several millions of copies in the kingdom.

<sup>39</sup> Parl. Hist. vol. iii. p. 113.

<sup>40</sup> Burnet, vol. i. p. 318.

very agreeable concession which the king made to the Catholic party, to suppress entirely these religious comedies.

Thus Henry labored incessantly, by arguments, creeds, and penal statutes, to bring his subjects to a uniformity in their religious sentiments ; but as he entered himself with the greatest earnestness into all those scholastic disputes, he encouraged the people, by his example, to apply themselves to the study of theology ; and it was in vain afterwards to expect, however present fear might restrain their tongues or pens, that they would cordially agree in any set of tenets or opinions prescribed to them.

## CHAPTER XXXIII.

WAR WITH SCOTLAND.—VICTORY AT SOLWAY.—DEATH OF JAMES V.—TREATY WITH SCOTLAND.—NEW RUPTURE.—RUPTURE WITH FRANCE.—A PARLIAMENT.—AFFAIRS OF SCOTLAND.—A PARLIAMENT.—CAMPAIGN IN FRANCE.—A PARLIAMENT.—PEACE WITH FRANCE AND SCOTLAND.—PERSECUTIONS.—EXECUTION OF THE EARL OF SURREY.—ATTAINDER OF THE DUKE OF NORFOLK.—DEATH OF THE KING.—HIS CHARACTER.—MISCELLANEOUS TRANSACTIONS.

HENRY, being determined to avenge himself on the King of Scots for slighting the advances which he had made him, would gladly have obtained a supply from Parliament, in order to prosecute that enterprise; but as he did not think it prudent to discover his intentions, that assembly, conformably to their frugal maxims, would understand no hints; and the king was disappointed in his expectations. He continued, however, to make preparations for war; and as soon as he thought himself in a condition to invade Scotland, he published a manifesto, by which he endeavored to justify hostilities. He complained of James's breach of word in declining the promised interview, which was the real ground of the quarrel;<sup>1</sup> but in order to give a more specious coloring to the enterprise, he mentioned other injuries; namely, that his nephew had granted protection to some English rebels and fugitives, and had detained some territory which Henry pretended belonged to England. He even revived the old claim to the vassalage of Scotland, and he summoned James to do homage to him as his liege lord and superior. He employed the Duke of Norfolk, whom he called the scourge of the Scots, to command in the war; and though James sent the Bishop of Aberdeen, and Sir James Learmont of Darsay, to appease his uncle, he would hearken to no terms of accommodation. While Norfolk was assembling his army at Newcastle, Sir Robert Bowes, attended by Sir Ralph Sadler, Sir Ralph Evers, Sir Brian Latoun, and others, made an incursion into Scotland, and advanced

<sup>1</sup> Buchanan, lib. 14. Drummond in James V.

towards Jedburgh, with an intention of pillaging and destroying that town. The Earl of Angus and George Douglas, his brother, who had been many years banished their country, and had subsisted by Henry's bounty, joined the English army in this incursion; and the forces commanded by Bowes exceeded four thousand men. James had not been negligent in his preparations for defence, and had posted a considerable body, under the command of the Earl of Huntley, for the protection of the borders. Lord Hume, at the head of his vassals, was hastening to join Huntley, when he met with the English army, and an action immediately ensued. During the engagement, the forces under Huntley began to appear, and the English, afraid of being surrounded and overpowered, took to flight, and were pursued by the enemy. Evers, Latoun, and some other persons of distinction were taken prisoners. A few only, of small note, fell in the skirmish.<sup>2</sup>

The Duke of Norfolk, meanwhile, began to move from his camp at Newcastle; and being attended by the Earls of Shrewsbury, Derby, Cumberland, Surrey, Hertford, Rutland, with many others of the nobility, he advanced to the borders. His forces amounted to above twenty thousand men; and it required the utmost efforts of Scotland to resist such a formidable armament. James had assembled his whole military force at Fala and Sautrey, and was ready to advance as soon as he should be informed of Norfolk's invading his kingdom. The English passed the Tweed at Berwick, and marched along the banks of the river as far as Kelso; but hearing that James had collected near thirty thousand men, they repassed the river at that village, and retreated into their own country.<sup>3</sup> The King of Scots, inflamed with a desire of military glory and of revenge on his invaders, gave the signal for pursuing them, and carrying the war into England. He was surprised to find that his nobility, who were in general disaffected on account of the preference which he had given to the clergy, opposed this resolution, and refused to attend him in his projected enterprise. Enraged at this mutiny, he reproached them with cowardice, and threatened vengeance, but still resolved, with the forces which adhered to him, to make an impression on the enemy. He sent ten thousand men to the western borders, who entered England at Solway-frith; and he himself followed them at a small distance, ready to join them upon occasion.

<sup>2</sup> Buchanan, lib. 14.

<sup>3</sup> Ibid.



Disgusted, however, at the refractory disposition of his nobles, he sent a message to the army, depriving Lord Maxwell, their general, of his commission, and conferring the command on Oliver Sinclair, a private gentleman, who was his favorite. The army was extremely disgusted with this alteration, and was ready to disband, when a small body of English appeared, not exceeding five hundred men, under the command of Dacres and Musgrave. A panic seized the Scots, who immediately took to flight, and were pursued by the enemy. Few were killed in this rout, for it was no action; but a great many were taken prisoners, and some of the principal nobility; among these the Earls of Cassilis and Glencairn, the Lords Maxwell, Fleming, Somerville, Oliphant, Grey, who were all sent to London, and given in custody to different noblemen.

The King of Scots, hearing of this disaster, was astonished; and being naturally of a melancholic disposition, as well as endowed with a high spirit, he lost all command of his temper on this dismal occasion. Rage against his nobility, who, he believed, had betrayed him; shame for a defeat by such unequal numbers; regret for the past, fear of the future—all these passions so wrought upon him that he would admit of no consolation, but abandoned himself wholly to despair. His body was wasted by sympathy with his anxious mind; and even his life began to be thought in danger. He had no issue living; and hearing that his queen was safely delivered, he asked whether she had brought him a male or a female child. Being told the latter, he turned himself in his bed: "The crown came with a woman," said he, "and it will go with one. Many miseries await this poor kingdom: Henry will make it his own, either by force of arms or by marriage." A few days after, he expired, in the flower of his age; a prince of considerable virtues and talents; well fitted, by his vigilance and personal courage, for repressing those disorders to which his kingdom during that age was so much exposed. He executed justice with impartiality and rigor; but as he supported the commonalty and the church against the rapine of the nobility, he escaped not the hatred of that order. The Protestants, also, whom he opposed, have endeavored to throw many stains on his memory, but have not been able to fix any considerable imputation upon him.<sup>4</sup>

[1543.] Henry was no sooner informed of this victory,

<sup>4</sup> See note [E] at the end of the volume.

and of the death of his nephew, than he projected, as James had foreseen, the scheme of uniting Scotland to his own dominions, by marrying his son, Edward, to the heiress of that kingdom.<sup>5</sup> He called together the Scottish nobles who were his prisoners, and after reproaching them in severe terms for their pretended breach of treaty, he began to soften his tone, and proposed to them this expedient, by which he hoped those disorders so prejudicial to both states would for the future be prevented. He offered to bestow on them their liberty without ransom, and only required of them engagements to favor the marriage of the Prince of Wales with their young mistress. They were easily prevailed on to give their assent to a proposal which seemed so natural and so advantageous to both kingdoms; and, being conducted to Newcastle, they delivered to the Duke of Norfolk hostages for their return, in case the intended nuptials were not completed; and thence proceeded to Scotland, where they found affairs in some confusion.

The pope, observing his authority in Scotland to be in danger from the spreading of the new opinions, had bestowed on Beaton, the primate, the dignity of cardinal, in order to confer more influence upon him; and that prelate had long been regarded as prime minister to James, and as the head of that party which defended the ancient privileges and property of the ecclesiastics. Upon the death of his master, this man, apprehensive of the consequences both to his party and to himself, endeavored to keep possession of power; and for that purpose he is accused of executing a deed which required a high degree of temerity. He forged, it is said, a will for the king, appointing himself, and three noblemen more, regents of the kingdom during the minority of the infant princess;<sup>6</sup> at least, for historians are not well agreed in the circumstances of the fact, he had read to James a paper of that import, to which that monarch, during the delirium which preceded his death, had given an imperfect assent and approbation.<sup>7</sup> By virtue of this will, Beaton had put himself in possession of the government; and having united his interests with those of the queen-dowager, he obtained the consent of the convention of states, and excluded the pretensions of the Earl of Arran.

James, Earl of Arran, of the name of Hamilton, was

<sup>5</sup> Stowe, p. 584. Herbert. Burnet. Buchanan.

<sup>6</sup> Sadler's Letters, p. 161. Spotswood, p. 71. Buchanan, lib. 15.

<sup>7</sup> John Knox, History of the Reformation.

next heir to the crown by his grandmother, daughter of James III., and on that account seemed best entitled to possess that high office into which the cardinal had obtruded himself. The prospect also of his succession after a princess, who was in such tender infancy, procured him many partisans; and though his character indicated little spirit, activity, or ambition, a propensity which he had discovered for the new opinions had attached to him all the zealous promoters of those innovations. By means of these adherents, joined to the vassals of his own family, he had been able to make opposition to the cardinal's administration; and the suspicion of Beaton's forgery, with the accession of the noblemen who had been prisoners in England, assisted too by some money sent from London, was able to turn the balance in his favor. The Earl of Angus and his brother, having taken the present opportunity of returning into their native country, opposed the cardinal with all the credit of that powerful family; and the majority of the convention had now embraced opposite interests to those which formerly prevailed. Arran was declared governor; the cardinal was committed to custody under the care of Lord Seton; and a negotiation was commenced with Sir Ralph Sadler, the English ambassador, for the marriage of the infant queen with the Prince of Wales. The following conditions were quickly agreed on: that the queen should remain in Scotland till she should be ten years of age; that she should then be sent to England to be educated; that six Scottish noblemen should immediately be delivered as hostages to Henry; and that the kingdom, notwithstanding its union with England, should still retain its laws and privileges.<sup>8</sup> By means of these equitable conditions, the war between the nations, which had threatened Scotland with such dismal calamities, seemed to be fully composed, and to be changed into perpetual concord and amity.

But the cardinal-primate, having prevailed on Seton to restore him to his liberty, was able, by his intrigues, to confound all these measures, which appeared so well concerted. He assembled the most considerable ecclesiastics; and having represented to them the imminent danger to which their revenues and privileges were exposed, he persuaded them to collect privately from the clergy a large sum of money, by which, if intrusted to his management, he engaged to overturn the schemes of their enemies.<sup>9</sup> Besides the parti-

<sup>8</sup> Sir Ralph Sadler's Letters.

<sup>9</sup> Buchanan, lib. 15.

sans whom he acquired by pecuniary motives, he roused up the zeal of those who were attached to the Catholic worship, and he represented the union with England as the sure forerunner of ruin to the church and to the ancient religion. The national antipathy of the Scots to their southern neighbors was also an infallible engine by which the cardinal wrought upon the people; and though the terror of Henry's arms and their own inability to make resistance had procured a temporary assent to the alliance and marriage proposed, the settled habits of the nation produced an extreme aversion to those measures. The English ambassador and his retinue received many insults from persons whom the cardinal had instigated to commit those violences, in hopes of bringing on a rupture; but Sadler prudently dissembled the matter, and waited patiently till the day appointed for the delivery of the hostages. He then demanded of the regent the performance of that important article, but received for answer that his authority was very precarious, that the nation had now taken a different impression, and that it was not in his power to compel any of the nobility to deliver themselves as hostages to the English. Sadler, foreseeing the consequence of this refusal, sent a summons to all those who had been prisoners in England, and required them to fulfil the promise which they had given of returning into custody. None of them showed so much sentiment of honor as to fulfil their engagements, except Gilbert Kennedy, Earl of Cassilis. Henry was so well pleased with the behavior of this nobleman, that he not only received him graciously, but honored him with presents, gave him his liberty, and sent him back to Scotland, with his two brothers whom he had left as hostages.<sup>10</sup>

This behavior of the Scottish nobles, though it reflected dishonor on the nation, was not disagreeable to the cardinal, who foresaw that all these persons would now be deeply interested to maintain their enmity and opposition to England. And as a war was soon expected with that kingdom, he found it necessary immediately to apply to France, and to crave the assistance of that ancient ally during the present distresses of the Scottish nation. Though the French king was fully sensible of his interest in supporting Scotland, a demand of aid could not have been made on him at a more unseasonable juncture. His pretensions on the Milanese and his resentment against Charles had engaged him in a war

<sup>10</sup> Buchanan, lib. 15.



with that potentate, and having made great though fruitless efforts during the preceding campaign, he was the more disabled at present from defending his own dominions, much more from granting any succor to the Scots. Matthew Stuart, Earl of Lenox, a young nobleman of a great family, was at that time in the French court, and Francis, being informed that he was engaged in ancient and hereditary enmity with the Hamiltons, who had murdered his father, sent him over to his native country, as a support to the cardinal and the queen-mother; and he promised that a supply of money, and, if necessary, even military succors, should soon be despatched after him. Arran, the governor, seeing all these preparations against him, assembled his friends, and made an attempt to get the person of the infant queen into his custody; but being repulsed, he was obliged to come to an accommodation with his enemies, and to intrust that precious charge to four neutral persons, the heads of potent families, the Grahams, Areskines, Lindseys, and Levingstones. The arrival of Lenox, in the midst of these transactions, served to render the victory of the French party over the English still more indisputable.<sup>11</sup>

The opposition which Henry met with in Scotland from the French intrigues excited his resentment, and farther confirmed the resolution which he had already taken of breaking with France, and of uniting his arms with those of the emperor. He had other grounds of complaint against the French king, which, though not of great importance, yet, being recent, were able to overbalance those great injuries which he had formerly received from Charles. He pretended that Francis had engaged to imitate his example, in separating himself entirely from the see of Rome, and that he had broken his promise in that particular. He was dissatisfied that James, his nephew, had been allowed to marry, first, Magdalene of France, then a princess of the house of Guise; and he considered these alliances as pledges which Francis gave of his intentions to support the Scots against the power of England.<sup>12</sup> He had been informed of some raileries which the French king had thrown out against his conduct with regard to his wives. He was disgusted that Francis, after so many obligations which he owed him, had sacrificed him to the emperor, and, in the confidence of friendship, had rashly revealed his secrets to that subtle and interested monarch; and he complained that

<sup>11</sup> Buchanan, lib. 15. Drummoud.

<sup>12</sup> Père Daniel.

regular payments were never made of the sums due to him by France, and of the pension which had been stipulated. Impelled by all these motives, he alienated himself from his ancient friend and confederate, and formed a league with the emperor, who earnestly courted his alliance. This league, besides stipulations for mutual defence, contained a plan for invading France; and the two monarchs agreed to enter Francis's dominions with an army, each of twenty-five thousand men, and to require that prince to pay Henry all the sums which he owed him, and to consign Boulogne, Montreuil, Trouëne, and Ardres as a security for the regular payment of his pension for the future. In case these conditions were rejected, the confederate princes agreed to challenge for Henry the crown of France, or, in default of it, the duchies of Normandy, Aquitaine, and Guienne; for Charles, the duchy of Burgundy, and some other territories.<sup>13</sup> That they might have a pretence for enforcing these claims, they sent a message to Francis, requiring him to renounce his alliance with Sultan Solymán, and to make reparation for all the prejudice which Christendom had sustained from that unnatural confederacy. Upon the French king's refusal, war was declared against him by the allies. It may be proper to remark that the partisans of France objected to Charles's alliance with the heretical King of England as no less obnoxious than that which Francis had contracted with Solymán, and they observed that this league was a breach of the solemn promise which he had given to Clement VII. never to make peace or alliance with England.

While the treaty with the emperor was negotiating, the king summoned a new session of Parliament, in order to obtain supplies for his projected war with France. The Parliament granted him a subsidy, to be paid in three years; it was levied in a peculiar manner, but exceeded not three shillings in the pound upon any individual.<sup>14</sup> The convocation gave the king six shillings in the pound, to be levied in three years. Greater sums were always, even during the establishment of the Catholic religion, exacted from the clergy than from the laity; which made the Emperor Charles

<sup>13</sup> Rymer, vol. xiv. p. 768, vol. xv. p. 2.

<sup>14</sup> They who were worth in goods twenty shillings and upwards to five pounds paid fourpence of every pound; from five pounds to ten pounds, eightpence; from ten pounds to twenty pounds, sixteenpence; from twenty and upwards, two shillings. Lands, fees, and annuities, from twenty shillings to five pounds, paid eightpence in the pound; from five pounds to ten pounds, sixteenpence; from ten pounds to twenty pounds, two shillings; from twenty pounds and upwards, three shillings.

say, when Henry dissolved the monasteries, and sold their revenues, or bestowed them on his nobility and courtiers, that he had killed the hen which brought him the golden eggs.<sup>15</sup>

The Parliament also facilitated the execution of the former law, by which the king's proclamations were made equal to statutes; they appointed that any nine counsellors should form a legal court for punishing all disobedience to proclamations. The total abolition of juries in criminal causes, as well as of all Parliaments, seemed, if the king had so pleased, the necessary consequence of this enormous law. He might issue a proclamation enjoining the execution of any penal statute, and afterwards try the criminals, not for breach of the statute, but for disobedience to his proclamation. It is remarkable that Lord Mountjoy entered a protest against this law; and it is equally remarkable that that protest is the only one entered against any public bill during this whole reign.<sup>16</sup>

It was enacted<sup>17</sup> this session that any spiritual person who preached or taught contrary to the doctrine contained in the king's book, the *Erudition of a Christian Man*, or contrary to any doctrine which he should *thereafter* promulgate, was to be admitted on the first conviction to renounce his error; on the second, he was required to carry a fagot, which if he refused to do, or fell into a third offence, he was to be burnt. But the laity, for the third offence, were only to forfeit their goods and chattels, and be liable to perpetual imprisonment. Indictments must be laid within a year after the offence, and the prisoner was allowed to bring witnesses for his exculpation. These penalties were lighter than those which were formerly imposed on a denial of the real presence; it was, however, subjoined in this statute that the act of the six articles was still in force. But in order to make the king more entirely master of his people, it was enacted that he might hereafter, at his pleasure, change this act or any provision in it. By this clause, both parties were retained in subjection: so far as regarded religion, the king was invested, in the fullest manner, with the sole legislative authority in his kingdom, and all his subjects were, under the severest penalties, expressly bound to receive implicitly whatever doctrine he should please to recommend to them.

<sup>15</sup> Collier, vol. ii. p. 176.

<sup>17</sup> 34 and 35 Henry VIII. cap. 1.

<sup>16</sup> Burnet, p. 322.

The reformers began to entertain hopes that this great power of the crown might still be employed in their favor. The king married Catherine Par, widow of Nevil, Lord Latimer—a woman of virtue, and somewhat inclined to the new doctrine. By this marriage, Henry confirmed what had formerly been foretold in jest, that he would be obliged to espouse a widow. The king's league with the emperor seemed a circumstance no less favorable to the Catholic party; and thus matters remained still nearly balanced between the factions.

The advantages gained by this powerful confederacy between Henry and Charles were inconsiderable during the present year. The campaign was opened with a victory gained by the Duke of Cleves, Francis's ally, over the forces of the emperor; <sup>18</sup> Francis in person took the field early, and made himself master, without resistance, of the whole duchy of Luxembourg; he afterwards took Landrecy, and added some fortifications to it. Charles, having at last assembled a powerful army, appeared in the Low Countries; and, after taking almost every fortress in the Duchy of Cleves, he reduced the duke to accept of the terms which he was pleased to prescribe to him. Being then joined by a body of six thousand English, he sat down before Landrecy, and covered the siege with an army of above forty thousand men. Francis advanced at the head of an army not much inferior, as if he intended to give the emperor battle, or oblige him to raise the siege; but while these two rival monarchs were facing each other, and all men were in expectation of some great event, the French king found means of throwing succor into Landrecy; and having thus effected his purpose, he skilfully made a retreat. Charles, finding the season far advanced, despaired of success in his enterprise, and found it necessary to go into winter quarters.

The vanity of Henry was flattered by the figure which he made in the great transactions on the continent; but the interests of his kingdom were more deeply concerned in the event of affairs in Scotland. Arran, the governor, was of so indolent and unambitious a character, that, had he not been stimulated by his friends and dependants, he never had aspired to any share in the administration; and when he found himself overpowered by the party of the queen-dowager, the cardinal, and the Earl of Lenox, he was glad to accept of any terms of accommodation, however dishon-

<sup>18</sup> Mémoires du Bellay, lib. 10.



orable. He even gave them a sure pledge of his sincerity by renouncing the principles of the reformers, and reconciling himself to the Romish communion in the Franciscan church at Stirling. By this weakness and levity he lost his credit with the whole nation, and rendered the Protestants, who were hitherto the chief support of his power, his mortal enemies. The cardinal acquired an entire ascendant in the kingdom; the queen-dowager placed implicit confidence in him; the governor was obliged to yield to him in every pretension; Lenox alone was become an obstacle to his measures, and reduced him to some difficulty.

The inveterate enmity which had taken place between the families of Lenox and Arran made the interests of these two noblemen entirely incompatible; and as the cardinal and the French party, in order to engage Lenox the more in their cause, had flattered him with the hope of succeeding to the crown after their infant sovereign, this rivalry had tended still farther to rouse the animosity of the Hamiltons. Lenox too had been encouraged to aspire to the marriage of the queen-dowager, which would have given him some pretensions to the regency; and as he was become assuming on account of the services which he had rendered the party, the cardinal found, that, since he must choose between the friendship of Lenox and that of Arran, the latter nobleman who was more easily governed, and who was invested with present authority, was in every respect preferable. Lenox, finding that he was not likely to succeed in his pretensions to the queen-dowager, and that Arran, favored by the cardinal, had acquired the ascendancy, retired to Dunbarton, the governor of which was entirely at his devotion; he entered into a secret correspondence with the English court, and he summoned his vassals and partisans to attend him. All those who were inclined to the Protestant religion, or were on any account discontented with the cardinal's administration, now regarded Lenox as the head of their party, and they readily made him a tender of their services. In a little time he had collected an army of ten thousand men, and he threatened his enemies with immediate destruction. The cardinal had no equal force to oppose to him, but as he was a prudent man, he foresaw that Lenox could not long subsist so great an army, and he endeavored to gain time by opening a negotiation with him. He seduced his followers by various artifices; he prevailed

on the Douglasses to change party; he represented to the whole nation the danger of civil wars and commotions; and Lenox, observing the unequal contest in which he was engaged, was at last obliged to lay down his arms, and to accept of an accommodation with the governor and the cardinal. Present peace was restored, but no confidence took place between the parties. Lenox, fortifying his castles, and putting himself in a posture of defence, waited the arrival of the English succors, from whose assistance alone he expected to obtain the superiority over his enemies.

While the winter season restrained Henry from military operations, he summoned a new Parliament, in which a law was passed, such as he was pleased to dictate, with regard to the succession of the crown. After declaring that the Prince of Wales or any of the king's male issue were first and immediate heirs to the crown, the Parliament restored the two princesses, Mary and Elizabeth, to their right of succession. This seemed a reasonable piece of justice, and corrected what the king's former violence had thrown into confusion; but it was impossible for Henry to do anything, how laudable soever, without betraying, in some circumstance, his usual extravagance and caprice. [1544.] Though he opened the way for these two princesses to mount the throne, he would not allow the acts to be reversed which had declared them illegitimate; and he made the Parliament confer on him a power of still excluding them if they refused to submit to any conditions which he should be pleased to impose; and he required them to enact that, in default of his own issue, he might dispose of the crown as he pleased, by will or letters-patent. He did not probably foresee that, in proportion as he degraded the Parliament by rendering it the passive instrument of his variable and violent inclinations, he taught the people to regard all its acts as invalid, and thereby defeated even the purposes which he was so bent to attain.

An act passed, declaring that the king's usual style should be "King of England, France, and Ireland, Defender of the Faith, and on Earth the Supreme head of the Church of England and Ireland." It seemed a palpable inconsistency to retain the title of Defender of the Faith, which the Court of Rome had conferred on him for maintaining its cause against Luther, and yet subjoin his ecclesiastical supremacy in opposition to the claims of that court.

An act also passed for the remission of the debt which the king had lately contracted by a general loan, levied upon the people. It will easily be believed that, after the former act of this kind, the loan was not entirely voluntary.<sup>19</sup> But there was a peculiar circumstance attending the present statute which none but Henry would have thought of; namely, that those who had already gotten payment, either in whole or in part, should refund the money to the exchequer.

The oaths which Henry imposed for the security of his ecclesiastical model were not more reasonable than his other measures. All his subjects of any distinction had already been obliged to renounce the pope's supremacy; but as the clauses to which they swore had not been deemed entirely satisfactory, another oath was imposed; and it was added, that all those who had taken the former oaths should be understood to have taken the new one.<sup>20</sup> A strange supposition, to represent men as bound by an oath which they had never taken!

The most commendable law to which the Parliament gave their sanction was that by which they mitigated the law of the six articles, and enacted that no person should be put to his trial upon an accusation concerning any of the offences comprised in that sanguinary statute, except on the oath of twelve persons, before commissioners authorized for the purpose; and that no person should be arrested or committed to ward for any such offence before he was indicted. Any preacher accused of speaking in his sermon contrary to these articles must be indicted within forty days.

The king always experienced the limits of his authority whenever he demanded subsidies, however moderate, from the Parliament; and therefore, not to hazard a refusal, he made no mention this session of a supply; but as his wars both in France and Scotland, as well as his usual prodigality, had involved him in great expense, he had recourse to other methods of filling his exchequer. Notwithstanding the former abolition of his debts, he yet required new loans from his subjects, and he enhanced gold from forty-five shillings to forty-eight an ounce, and silver from three shillings and ninepence to four shillings. His pretence for this innovation was to prevent the money from being exported, as if that expedient could anywise serve the purpose. He even coined some base money, and ordered it to be current by

<sup>19</sup> 35 Henry VIII. cap. 12.

<sup>20</sup> 35 Henry VIII. cap. 1.

proclamation. He named commissioners for levying a benevolence, and he extorted about seventy thousand pounds by this expedient. Read, alderman of London,<sup>21</sup> a man somewhat advanced in years, having refused to contribute, or not coming up to the expectation of the commissioners, was enrolled as a foot soldier in the Scottish wars, and was there taken prisoner. Roach, who had been equally refractory, was thrown into prison, and obtained not his liberty but by paying a large composition.<sup>22</sup> These powers of the prerogative (which at that time passed unquestioned), the compelling of any man to serve in any office, and the imprisoning of any man during pleasure, not to mention the practice of extorting loans, rendered the sovereign in a manner absolute master of the person and property of every individual.

Early this year, the king sent a fleet and an army to invade Scotland. The fleet consisted of near two hundred vessels, and carried on board ten thousand men. Dudley, Lord Lisle, commanded the sea-forces; the Earl of Hertford the land. The troops were disembarked near Leith; and, after dispersing a small body which opposed them, they took that town without resistance, and then marched to Edinburgh. The gates were soon beaten down, for little or no resistance was made; and the English first pillaged and then set fire to the city. The regent and cardinal were not prepared to oppose so great a force, and they fled to Stirling. Hertford marched eastward; and, being joined by a new body under Evers, warden of the east marches, he laid waste the whole country, burned and destroyed Haddington and Dunbar, then retreated into England, having lost only forty men in the whole expedition. The Earl of Arran collected some forces; but, finding that the English were already departed, he turned them against Lenox, who was justly suspected of a correspondence with the enemy. That nobleman, after making some resistance, was obliged to fly into England, where Henry settled a pension on him, and even gave him his niece, Lady Margaret Douglas, in marriage. In return, Lenox stipulated conditions, by which, had he been able to execute them, he must have reduced his country to total servitude.<sup>23</sup>

Henry's policy was blamed in this sudden and violent incursion, by which he inflamed the passions of the Scots

<sup>21</sup> Herbert. Stowe, p. 588. Baker, p. 292.

<sup>22</sup> Goodwin's Annals. Stowe, p. 508.

<sup>23</sup> Rymer, vol. xv. pp. 23, 29.



without subduing their spirit; and it was commonly said that he did too much if he intended to solicit an alliance, and too little if he meant a conquest.<sup>24</sup> But the reason of his recalling his troops so soon was, his eagerness to carry on a projected enterprise against France, in which he intended to employ the whole force of his kingdom. He had concerted a plan with the emperor which threatened the total ruin of that monarchy, and must, as a necessary consequence, have involved the ruin of England. These two princes had agreed to invade France with forces amounting to above a hundred thousand men; Henry engaged to set out from Calais, Charles from the Low Countries; they were to enter on no siege, but, leaving all the frontier towns behind them, to march directly to Paris, where they were to join their forces, and thence to proceed to the entire conquest of the kingdom. Francis could not oppose to these formidable preparations much above forty thousand men.

Henry, having appointed the queen regent during his absence, passed over to Calais with thirty thousand men, accompanied by the Dukes of Norfolk and Suffolk, Fitz-Alan, Earl of Arundel, Vere, Earl of Oxford, the Earl of Surrey, Paulet, Lord St. John, Lord Ferrers of Chartley, Lord Mountjoy, Lord Grey of Wilton, Sir Anthony Brown, Sir Francis Bryan, and the most flourishing nobility and gentry of his kingdom. The English army was soon joined by the Count de Buren, Admiral of Flanders, with ten thousand foot and four thousand horse; and the whole composed an army which nothing on that frontier was able to resist. The chief force of the French armies was drawn to the side of Champagne, in order to oppose the imperialists.

The emperor, with an army of near sixty thousand men, had taken the field much earlier than Henry; and not to lose time, while he waited for the arrival of his confederate, he sat down before Luxembourg, which was surrendered to him; he thence proceeded to Commercy on the Meuse, which he took; Ligny met with the same fate: he next laid siege to St. Disier on the Marne, which, though a weak place, made a brave resistance under the Count of Sancerre, the governor, and the siege was protracted beyond expectation.

The emperor was employed before this town at the time the English forces were assembled in Picardy. Henry, either tempted by the defenceless condition of the French

<sup>24</sup> Herbert. Burnet.

frontier, or thinking that the emperor had first broken his engagement by forming sieges, or perhaps foreseeing at last the dangerous consequences of entirely subduing the French power, instead of marching forward to Paris, sat down before Montreuil and Boulogne. The Duke of Norfolk commanded the army before Montreuil; the king himself that before Boulogne. Vervin was governor of the latter place, and under him Philip Corse, a brave old soldier, who encouraged the garrison to defend themselves to the last extremity against the English. He was killed during the course of the siege, and the town was immediately surrendered to Henry by the cowardice of Vervin, who was afterwards beheaded for this dishonorable capitulation.

During the course of this siege Charles had taken St. Disier, and, finding the season much advanced, he began to hearken to a treaty of peace with France, since all his schemes for subduing that kingdom were likely to prove abortive. In order to have a pretence for deserting his ally, he sent a messenger to the English camp, requiring Henry immediately to fulfil his engagements, and to meet him with his army before Paris. Henry replied that he was too far engaged in the siege of Boulogne to raise it with honor, and that the emperor himself had first broken the concert by besieging St. Disier. This answer served Charles as a sufficient reason for concluding a peace with Francis at Crepy, where no mention was made of England. He stipulated to give Flanders as a dowry to his daughter, whom he agreed to marry to the Duke of Orleans, Francis's second son; and Francis, in return, withdrew his troops from Piedmont and Savoy, and renounced all claim to Milan, Naples, and other territories in Italy. This peace, so advantageous to Francis, was procured partly by the decisive victory obtained in the beginning of the campaign, by the Count of Anguyen, over the imperialists, at Cerisolles, in Piedmont, partly by the emperor's great desire to turn his arms against the Protestant princes in Germany. Charles ordered his troops to separate from the English in Picardy; and Henry, finding himself obliged to raise the siege of Montreuil, returned into England. This campaign served to the populace as matter of great triumph; but all men of sense concluded that the king had, as in all his former military enterprises, made, at a great expense, an acquisition which was of no importance.

The war with Scotland, meanwhile, was conducted feebly,

and with various success. Sir Ralph Evers, now Lord Evers, and Sir Bryan Latoun made an inroad into that kingdom; and, having laid waste the counties of Tiviotdale and the Merse, they proceeded to the abbey of Coldingham, which they took possession of and fortified. The governor assembled an army of eight thousand men, in order to dislodge them from this post; but he had no sooner opened his batteries before the place than a sudden panic seized him; he left the army, and fled to Dunbar. He complained of the mutiny of his troops, and pretended apprehensions lest they should deliver him into the hands of the English; but his own unwarlike spirit was generally believed to have been the motive of this dishonorable flight. The Scottish army, upon the departure of their general, fell into confusion; and had not Angus, with a few of his retainers, brought off the cannon and protected their rear, the English might have gained great advantages over them. Evers, elated with this success, boasted to Henry that he had conquered all Scotland to the Forth, and he claimed a reward for this important service. The Duke of Norfolk, who knew with what difficulty such acquisitions would be maintained against a warlike enemy, advised the king to grant him, as his reward, the conquests of which he boasted so highly. The next inroad made by the English showed the vanity of Evers's hopes. [1545] This general led about five thousand men into Tiviotdale, and was employed in ravaging that country when intelligence was brought him that some Scottish forces appeared near the abbey of Melross. Angus had roused the governor to more activity; and a proclamation being issued for assembling the troops of the neighboring counties, a considerable body had repaired thither to oppose the enemy. Norman Lesly, son of the Earl of Rothes, had also joined the army with some volunteers from Fife; and he inspired courage into the whole, as well by this accession of force as by his personal bravery and intrepidity. In order to bring their troops to the necessity of a steady defence, the Scottish leaders ordered all their cavalry to dismount; and they resolved to wait, on some high grounds near Ancram, the assault of the English. The English, whose past successes had taught them too much to despise the enemy, thought, when they saw the Scottish horses led off the field, that the whole army was retiring, and they hastened to attack them. The Scots received them in good order; and being favored by the advantage of the ground, as well as by the surprise of

the English, who expected no resistance, they soon put them to flight, and pursued them with considerable slaughter. Evers and Latoun were both killed, and above a thousand men were made prisoners. In order to support the Scots in this war, Francis, some time after, sent over a body of auxiliaries, to the number of three thousand five hundred men, under the command of Montgomery, Lord of Lorges.<sup>25</sup> Reinforced by these succors, the governor assembled an army of fifteen thousand men at Haddington, and marched thence to ravage the east borders of England. He laid all waste wherever he came; and having met with no considerable resistance, he retired into his own country, and disbanded his army. The Earl of Hertford, in revenge, committed ravages on the middle and west marches; and the war on both sides was signalized rather by the ills inflicted on the enemy than by any considerable advantage gained by either party.

The war likewise between France and England was not distinguished this year by any memorable event. Francis had equipped a fleet of above two hundred sail, besides galleys; and, having embarked some land-forces on board, he sent them to make a descent in England.<sup>26</sup> They sailed to the Isle of Wight, where they found the English fleet lying at anchor in St. Helen's. It consisted not of above a hundred sail; and the admiral thought it most advisable to remain in that road, in hopes of drawing the French into the narrow channels and the rocks, which were unknown to them. The two fleets cannonaded each other for two days; and except the sinking of the *Mary Rose*, one of the largest ships of the English fleet, the damage on both sides was inconsiderable.

Francis's chief intention in equipping so great a fleet was to prevent the English from throwing succors into Boulogne, which he resolved to besiege; and for that purpose he ordered a fort to be built, by which he intended to block up the harbor. After a considerable loss of time and money, the fort was found so ill constructed that he was obliged to abandon it; and though he had assembled on that frontier an army of near forty thousand men, he was not able to effect any considerable enterprise. Henry, in order to defend his possessions in France, had levied fourteen thousand Germans, who, having marched to Fleurines, in the bishopric of Liege, found that they could advance no farther. The em-

<sup>25</sup> Buchanan, lib. 15. Drummond.

<sup>26</sup> Belcair. *Mémoires du Bellay*.



peror would not allow them a passage through his dominions; they received intelligence of a superior army on the side of France ready to intercept them; want of occupation and of pay soon produced a mutiny among them; and having seized the English commissaries as a security for arrears, they retreated into their own country. There appears to have been some want of foresight in this expensive armament.

The great expense of these two wars, maintained by Henry, obliged him to summon a new Parliament. The Commons granted him a subsidy, payable in two years, of two shillings a pound on land; <sup>27</sup> the spirituality voted him six shillings a pound. But the Parliament, apprehensive lest more demands should be made upon them, endeavored to save themselves by a very extraordinary liberality of other people's property; by one vote they bestowed on the king all the revenues of the universities, as well as of the chantries, free chapels, <sup>28</sup> and hospitals. Henry was pleased with this concession, as it increased his power; but he had no intention to rob learning of all her endowments, and he soon took care to inform the universities that he meant not to touch their revenues. Thus these ancient and celebrated establishments owe their existence to the generosity of the king, not to the protection of this servile and prostitute Parliament.

The prostitute spirit of the Parliament farther appeared in the preamble of a statute, <sup>29</sup> in which they recognize the king to have always been, by the word of God, supreme head of the church of England, and acknowledge that archbishops, bishops, and other ecclesiastical persons have no manner of jurisdiction but by his royal mandate; to him alone, say they, and such persons as he shall appoint, full power and authority is given from above to hear and determine all manner of causes ecclesiastical, and to correct all manner of heresies, errors, vices, and sins whatsoever. No mention is here made of the concurrence of a convocation, or even of a Parliament. His proclamations are, in effect, acknowledged to have not only the force of law, but the authority of revelation; and by his royal power he might

<sup>27</sup> Those who possessed goods or money above five pounds and below ten were to pay eightpence a pound; those above ten pounds, a shilling.

<sup>28</sup> A chantry was a little church, chapel, or particular altar in some cathedral church, etc., endowed with lands, or other revenues, for the maintenance of one or more priests, daily to say mass, or perform divine service, for the use of the founders, or such others as they appointed; free chapels were independent on any church, and endowed for much the same purpose as the former. Jacob's Law Dict.

<sup>29</sup> 37 Henry VIII. cap. 17.

regulate the actions of men, control their words, and even direct their inward sentiments and opinions.

The king made, in person, a speech to the Parliament on proroguing them; in which, after thanking them for their loving attachment to him, which, he said, equalled what was ever paid by their ancestors to any king of England, he complained of their dissensions, disputes, and animosities in religion. He told them that the several pulpits were become a kind of batteries against each other, and that one preacher called another heretic and anabaptist, which was retaliated by the opprobrious appellations of papist and hypocrite; that he had permitted his people the use of the Scriptures, not in order to furnish them with materials for disputing and railing, but that he might enable them to inform their consciences, and instruct their children and families; that it grieved his heart to find how that precious jewel was prostituted by being introduced into the conversation of every ale-house and tavern, and employed as a pretence for decrying the spiritual and legal pastors; and that he was sorry to observe that the word of God, while it was the object of so much anxious speculation, had very little influence on their practice; and that though an imaginary knowledge so much abounded, charity was daily going to decay.<sup>30</sup> The king gave good advice; but his own example, by encouraging speculation and dispute, was ill fitted to promote that peaceable submission of opinion which he recommended.

Henry employed in military preparations the money granted by Parliament; and he sent over the Earl of Hertford and Lord Lisle, the admiral, to Calais, with a body of nine thousand men, two-thirds of which consisted of foreigners. [1546.] Some skirmishes of small moment ensued with the French; and no hopes of any considerable progress could be entertained by either party. Henry, whose animosity against Francis was not violent, had given sufficient vent to his humor by this short war; and finding that, from his great increase in corpulence and decay in strength, he could not hope for much longer life, he was desirous of ending a quarrel which might prove dangerous to his kingdom during a minority. Francis likewise, on his part, was not averse to peace with England; because, having lately lost his son, the Duke of Orleans, he revived his ancient claim upon Milan, and foresaw that hostilities must soon on that account break out between him and the emperor. Com-

<sup>30</sup> Hall, fol. 261. Herbert, p. 534.

missioners, therefore, having met at Campe, a small place between Ardres and Guisnes, the articles were soon agreed on, and the peace signed by them. The chief conditions were, that Henry should retain Boulogne during eight years, or till the former debt due by Francis should be paid. This debt was settled at two millions of livres, besides a claim of five hundred thousand livres, which was afterwards to be adjusted. Francis took care to comprehend Scotland in the treaty. Thus all that Henry obtained by a war which cost him above one million three hundred and forty thousand pounds sterling,<sup>81</sup> was a bad and chargeable security for a debt which was not a third of the value.

The king, now freed from all foreign wars, had leisure to give his attention to domestic affairs, particularly to the establishment of uniformity in opinion, on which he was so intent. Though he allowed an English translation of the Bible, he had hitherto been very careful to keep the mass in Latin; but he was at last prevailed upon to permit that the litany, a considerable part of the service, should be celebrated in the vulgar tongue; and by this innovation he excited anew the hopes of the reformers, who had been somewhat discouraged by the severe law of the six articles. One petition of the new litany was a prayer to save us "from the tyranny of the Bishop of Rome, and from all his detestable enormities." Cranmer employed his credit to draw Henry into farther innovations, and he took advantage of Gardiner's absence, who was sent on an embassy to the emperor; but Gardiner having written to the king that if he carried his opposition against the Catholic religion to greater extremities Charles threatened to break off all commerce with him, the success of Cranmer's projects was for some time retarded. Cranmer lost this year the most sincere and powerful friend that he possessed at court, Charles Brandon, Duke of Suffolk: the queen-dowager of France, consort to Suffolk, had died some years before. This nobleman is one instance that Henry was not altogether incapable of a cordial and steady friendship; and Suffolk seems to have been worthy of the favor which, from his earliest youth, he had enjoyed with his master. The king was sitting in council when informed of Suffolk's death, and he took the opportunity both to express his own sorrow for the loss and to celebrate the merits of the deceased. He declared that, during the whole course of their friendship, his brother-in-

<sup>81</sup> Herbert. Stowe.

law had never made one attempt to injure an adversary, and had never whispered a word to the disadvantage of any person. "Is there any of you, my lords, who can say as much?" When the king subjoined these words, he looked round in all their faces, and saw that confusion which the consciousness of secret guilt naturally threw upon them.<sup>32</sup>

Cranmer himself, when bereaved of this support, was the more exposed to those cabals of the courtiers which the opposition in party and religion, joined to the usual motives of interest, rendered so frequent among Henry's ministers and counsellors. The Catholics took hold of the king by his passion for orthodoxy, and they represented to him that if his laudable zeal for enforcing the truth met with no better success, it was altogether owing to the primate, whose example and encouragement were in reality the secret supports of heresy. Henry, seeing the point at which they aimed, feigned a compliance, and desired the council to make inquiry into Cranmer's conduct; promising that, if he were found guilty, he should be committed to prison, and brought to condign punishment. Everybody now considered the primate as lost; and his old friends, from interested views, as well as the opposite party, from animosity, began to show him marks of neglect and disregard. He was obliged to stand several hours among the lackeys at the door of the council-chamber before he could be admitted; and when he was at last called in, he was told that they had determined to send him to the Tower. Cranmer said that he appealed to the king himself; and finding his appeal disregarded, he produced a ring, which Henry had given him as a pledge of favor and protection. The council were confounded; and when they came before the king, he reproved them in the severest terms, and told them he was well acquainted with Cranmer's merit, as well as with their malignity and envy; but he was determined to crush all their cabals, and to teach them by the severest discipline, since gentle methods were ineffectual, a more dutiful concurrence in promoting his service. Norfolk, who was Cranmer's capital enemy, apologized for their conduct, and said that their only intention was to set the primate's innocence in a full light by bringing him to an open trial; and Henry obliged them all to embrace him as a sign of their cordial reconciliation. The mild temper of Cranmer rendered this agreement more

<sup>32</sup> Coke's Inst. cap. 99.



sincere, on his part, than is usual in such forced compliances.<sup>33</sup>

But though Henry's favor for Cranmer rendered fruitless all accusations against him, his pride and peevishness, irritated by his declining state of health, impelled him to punish with fresh severity all others who presumed to entertain a different opinion from himself, particularly in the capital point of the real presence. Anne Ascue, a young woman of merit as well as beauty,<sup>34</sup> who had great connections with the chief ladies at court, and with the queen herself, was accused of dogmatizing on that delicate article; and Henry, instead of showing indulgence to the weakness of her sex and age, was but the more provoked that a woman should dare to oppose his theological sentiments. She was prevailed on by Bonner's menaces to make a seeming recantation; but she qualified it with some reserves, which did not satisfy that zealous prelate. She was thrown into prison, and she there employed herself in composing prayers and discourses, by which she fortified her resolution to endure the utmost extremity rather than relinquish her religious principles. She even wrote to the king, and told him that, as to the Lord's supper, she believed as much as Christ himself had said of it, and as much of his divine doctrine as the Catholic church had required; but while she could not be brought to acknowledge an assent to the king's explications, this declaration availed her nothing, and was rather regarded as a fresh insult. The chancellor, Wriothesley, who had succeeded Audley, and who was much attached to the Catholic party, was sent to examine her with regard to her patrons at court, and the great ladies who were in correspondence with her; but she maintained a laudable fidelity to her friends, and would confess nothing. She was put to the torture in the most barbarous manner, and continued still resolute in preserving secrecy. Some authors<sup>35</sup> add an extraordinary circumstance: that the chancellor, who stood by, ordered the lieutenant of the Tower to stretch the rack still farther; but that officer refused compliance: the chancellor menaced him, but met with a new refusal; upon which that magistrate, who was otherwise a person of merit, but intoxicated with religious

<sup>33</sup> Burnet, vol. i. pp. 343, 344. *Antiq. Brit. in vitâ Cranm.*

<sup>34</sup> Bale. Speed, p. 780.

<sup>35</sup> Fox, vol. ii. p. 578. Speed, p. 780. Baker, p. 299. But Burnet questions the truth of this circumstance. Fox, however, transcribes her own papers, where she relates it. I must add, in justice to the king, that he disapproved of Wriothesley's conduct, and commended the lieutenant.

zeal, put his own hand to the rack, and drew it so violently that he almost tore her body asunder. Her constancy still surpassed the barbarity of her persecutors, and they found all their efforts to be baffled. She was then condemned to be burned alive; and being so dislocated by the rack that she could not stand, she was carried to the stake in a chair. Together with her were conducted Nicholas Belenian, a priest, John Lassels, of the king's household, and John Adams, a tailor, who had been condemned for the same crime to the same punishment. They were all tied to the stake; and, in that dreadful situation, the chancellor sent to inform them that their pardon was ready drawn and signed, and should instantly be given them, if they would merit it by a recantation. They only regarded this offer as a new ornament to their crown of martyrdom, and they saw with tranquillity the executioner kindle the flames which consumed them. Wriothlesley did not consider that this public and noted situation interested their honor the more to maintain a steady perseverance.

Though the secrecy and fidelity of Anne Ascue saved the queen from this peril, that princess soon after fell into a new danger, from which she narrowly escaped. An ulcer had broken out in the king's leg, which, added to his extreme corpulency and his bad habit of body, began both to threaten his life and to render him even more than usually peevish and passionate. The queen attended him with the most tender and dutiful care, and endeavored, by every soothing art and compliance, to allay those gusts of humor to which he was become so subject. His favorite topic of conversation was theology, and Catherine, whose good sense enabled her to discourse on any subject, was frequently engaged in the argument; and being secretly inclined to the principles of the reformers, she unwarily betrayed too much of her mind on these occasions. Henry, highly provoked that she should presume to differ from him, complained of her obstinacy to Gardiner, who gladly laid hold of the opportunity to inflame the quarrel. He praised the king's anxious concern for preserving the orthodoxy of his subjects, and represented that the more elevated the person was who was chastised, and the more near to his person, the greater terror would the example strike into every one, and the more glorious would the sacrifice appear to posterity. The chancellor, being consulted, was engaged by religious zeal to second these topics; and Henry, hurried on

by his own impetuous temper, and encouraged by his counsellors, went so far as to order articles of impeachment to be drawn up against his consort. Wriothesley executed his commands, and soon after brought the paper to him to be signed; for as it was high treason to throw slander upon the queen, he might otherwise have been questioned for his temerity. By some means, this important paper fell into the hands of one of the queen's friends, who immediately carried the intelligence to her. She was sensible of the extreme danger to which she was exposed, but did not despair of being able, by her prudence and address, still to elude the efforts of her enemies. She paid her usual visit to the king, and found him in a more serene disposition than she had reason to expect. He entered on the subject which was so familiar to him, and he seemed to challenge her to an argument in divinity. She gently declined the conversation, and remarked that such profound speculations were ill suited to the natural imbecility of her sex. Women, she said, by their first creation, were made subject to men; the male was created after the image of God, the female after the image of the male; it belonged to the husband to choose principles for his wife; the wife's duty was, in all cases, to adopt implicitly the sentiments of her husband; and as to herself, it was doubly her duty, being blest with a husband who was qualified, by his judgment and learning, not only to choose principles for his own family, but for the most wise and knowing of every nation. "Not so, by St. Mary," replied the king; "you are now become a doctor, Kate, and better fitted to give than receive instruction." She meekly replied that she was sensible how little she was entitled to these praises; that though she usually declined not any conversation, however sublime, when proposed by his majesty, she well knew that her conceptions could serve to no other purpose than to give him a little momentary amusement; that she found the conversation apt to languish when not revived by some opposition, and she had ventured sometimes to feign a contrariety of sentiments, in order to give him the pleasure of refuting her; and that she also purposed, by this innocent artifice, to engage him into topics whence she had observed, by frequent experience, that she reaped profit and instruction. "And is it so, sweetheart?" replied the king; "then are we perfect friends again." He embraced her with great affection, and sent her away with assurances of his protection and kindness. Her enemies,

who knew nothing of this sudden change, prepared next day to convey her to the Tower, pursuant to the king's warrant. Henry and Catherine were conversing amicably in the garden, when the chancellor appeared, with forty of the pursuivants. The king spoke to him at some distance from her, and seemed to expostulate with him in the severest manner; she even overheard the appellations of *knave*, *fool*, and *beast*, which he liberally bestowed upon that magistrate, and then ordered him to depart his presence. She afterwards interposed to mitigate his anger. He said to her: "Poor soul! you know not how ill entitled this man is to your good offices." Thenceforth the queen, having narrowly escaped so great a danger, was careful not to offend Henry's humor by any contradiction; and Gardiner, whose malice had endeavored to widen the breach, could never afterwards regain his favor and good opinion.<sup>36</sup>

But Henry's tyrannical disposition, soured by ill health, burst out soon after, to the destruction of a man who possessed a much superior rank to that of Gardiner. The Duke of Norfolk and his father, during this whole reign, and even a part of the foregoing, had been regarded as the greatest subjects in the kingdom, and had rendered considerable service to the crown. The duke himself had in his youth acquired reputation by naval enterprises; he had much contributed to the victory gained over the Scots at Flouden; he had suppressed a dangerous rebellion in the north, and he had always done his part with honor in all the expeditions against France. Fortune seemed to conspire with his own industry in raising him to the greatest elevation. From the favors heaped on him by the crown, he had acquired an immense estate; the king had successively been married to two of his nieces; and the king's natural son, the Duke of Richmond, had married his daughter. Besides his descent from the ancient family of the Mowbrays, by which he was allied to the throne, he had espoused a daughter of the Duke of Buckingham, who was descended by a female from Edward III.; and as he was believed still to adhere secretly to the ancient religion, he was regarded, both abroad and at home, as the head of the Catholic party. But all these circumstances, in proportion as they exalted the duke, provoked the jealousy of Henry; and he foresaw danger, during his son's minority, both to the public tran-

<sup>36</sup> Burnet, vol. i. p. 344. Herbert, p. 560. Speed, p. 780. Fox's Acts and Monuments, vol. ii. p. 58.



quillity and to the new ecclesiastical system, from the attempts of so potent a subject. But nothing tended more to expose Norfolk to the king's displeasure than the prejudices which Henry had entertained against the Earl of Surrey, son of that nobleman.

Surrey was a young man of the most promising hopes, and had distinguished himself by every accomplishment which became a scholar, a courtier, and a soldier. He excelled in all the military exercises which were then in request; he encouraged the fine arts by his patronage and example; he had made some successful attempts in poetry; and being smitten with the romantic gallantry of the age, he celebrated the praises of his mistress, by his pen and his lance, in every masque and tournament. His spirit and ambition were equal to his talents and his quality; and he did not always regulate his conduct by the caution and reserve which his situation required. He had been left governor of Boulogne when that town was taken by Henry; but though his personal bravery was unquestioned, he had been unfortunate in some rencontres with the French. The king, somewhat displeased with his conduct, had sent over Hertford to command in his place; and Surrey was so imprudent as to drop some menacing expressions against the ministers, on account of this affront which was put upon him. And as he had refused to marry Hertford's daughter, and even waived every other proposal of marriage, Henry imagined that he had entertained views of espousing the Lady Mary; and he was instantly determined to repress, by the most severe expedients, so dangerous an ambition.

Actuated by all these motives, and perhaps influenced by that old disgust with which the ill conduct of Catherine Howard had inspired him against her whole family, he gave private orders to arrest Norfolk and Surrey; and they were on the same day confined in the Tower. Surrey being a commoner, his trial was the more expeditious; and as to proofs, neither Parliaments nor juries seem ever to have given the least attention to them in any cause of the crown during this whole reign. He was accused of entertaining in his family some Italians who were *suspected* to be spies; a servant of his had paid a visit to Cardinal Pole in Italy, whence he was *suspected* of holding a correspondence with that obnoxious prelate; he had quartered the arms of Edward the Confessor on his escutcheon, which made him be *suspected* of aspiring to the crown, though both he and his

ancestors had openly, during the course of many years, maintained that practice, and the heralds had even justified it by their authority. These were the crimes for which a jury, notwithstanding his eloquent and spirited defence, condemned the Earl of Surrey for high treason; and their sentence was soon after executed upon him.

The innocence of the Duke of Norfolk was still, if possible, more apparent than that of his son, and his services to the crown had been greater. His duchess, with whom he lived on bad terms, had been so base as to carry intelligence to his enemies of all she knew against him; Elizabeth Holland, a mistress of his, had been equally subservient to the designs of the court; yet, with all these advantages, his accusers discovered no greater crime than his once saying that the king was sickly, and could not hold out long, and the kingdom was likely to fall into disorders through the diversity of religious opinions. He wrote a pathetic letter to the king, pleading his past services, and protesting his innocence; soon after, he embraced a more proper expedient for appeasing Henry, by making a submission and confession, such as his enemies required; but nothing could mollify the unrelenting temper of the king. He assembled a Parliament as the surest and most expeditious instrument of his tyranny; and the House of Peers, without examining the prisoner, without trial or evidence, passed a bill of attainder against him, and sent it down to the Commons. Cranmer, though engaged for many years in an opposite party to Norfolk, and though he had received many and great injuries from him, would have no hand in so unjust a prosecution; and he retired to his seat at Croydon.<sup>37</sup> The king was now approaching fast towards his end; and fearing lest Norfolk should escape him, he sent a message to the Commons, by which he desired them to hasten the bill, on pretence that Norfolk enjoyed the dignity of earl marshal, and it was necessary to appoint another, who might officiate at the ensuing ceremony of installing his son Prince of Wales. The obsequious Commons obeyed his directions though founded on so frivolous a pretence; and the king, having affixed the royal assent to the bill by commissioners, issued orders for the execution of Norfolk on the morning of the twenty-ninth of January. But news being carried to the Tower that the king himself had expired that night, the lieutenant deferred obeying the warrant; and it was not thought ad-

<sup>37</sup> Burnet, vol. i. p. 348. Fox.

visible by the council to begin a new reign by the death of the greatest nobleman in the kingdom, who had been condemned by a sentence so unjust and tyrannical.

The king's health had long been in a declining state, but for several days all those near him plainly saw his end approaching. He was become so froward, that no one durst inform him of his condition; and as some persons during this reign had suffered as traitors for foretelling the king's death,<sup>38</sup> every one was afraid lest, in the transports of his fury, he might, on this pretence, punish capitally the author of such friendly intelligence. At last, Sir Anthony Denny ventured to disclose to him the fatal secret, and exhorted him to prepare for the fate which was awaiting him. He expressed his resignation, and desired that Cranmer might be sent for; but before the prelate arrived he was speechless, though he still seemed to retain his senses. Cranmer desired him to give him some sign of his dying in the faith of Christ; he squeezed the prelate's hand, and immediately expired, after a reign of thirty-seven years and nine months, and in the fifty-sixth year of his age.

The king had made his will near a month before his demise, in which he confirmed the destination of Parliament by leaving the crown, first to Prince Edward, then to the Lady Mary, next to the Lady Elizabeth. The two princesses he obliged, under the penalty of forfeiting their title to the crown, not to marry without consent of the council, which he appointed for the government of his minor son. After his own children, he settled the succession on Frances Brandon, Marchioness of Dorset, elder daughter of his sister, the French queen; then on Eleanor, Countess of Cumberland, the second daughter. In passing over the posterity of the Queen of Scots, his elder sister, he made use of the power obtained from Parliament; but as he subjoined that, after the failure of the French queen's posterity, the crown should descend to the next lawful heir, it afterwards became a question whether these words could be applied to the Scottish line. It was thought that these princes were not the next heirs after the house of Suffolk, but before that house, and that Henry, by expressing himself in this manner, meant entirely to exclude them. The late injuries which he had received from the Scots had irritated him extremely against that nation; and he maintained to the last that character of violence and caprice by which his life had been so

<sup>38</sup> Lanquet's Epitome of Chronicles in the year 1541.

much distinguished. Another circumstance of his will may suggest the same reflection with regard to the strange contrarieties of his temper and conduct: he left money for masses to be said for delivering his soul from purgatory; and though he destroyed all those institutions established by his ancestors and others for the benefit of *their* souls, and had even left the doctrine of purgatory doubtful in all the articles of faith which he promulgated during his later years, he was yet determined, when the hour of death was approaching, to take care at least of his own future repose, and to adhere to the safer side of the question.<sup>39</sup>

It is difficult to give a just summary of this prince's qualities; he was so different from himself in different parts of his reign that, as is well remarked by Lord Herbert, his history is his best character and description. The absolute uncontrolled authority which he maintained at home, and the regard which he acquired among foreign nations, are circumstances which entitle him, in some degree, to the appellation of a *great* prince; while his tyranny and barbarity exclude him from the character of a *good* one. He possessed, indeed, great vigor of mind, which qualified him for exercising dominion over men—courage, intrepidity, vigilance, inflexibility; and though these qualities lay not always under the guidance of a regular and solid judgment, they were accompanied with good parts and an extensive capacity; and every one dreaded a contest with a man who was known never to yield or to forgive, and who, in every controversy, was determined either to ruin himself or his antagonist. A catalogue of his vices would comprehend many of the worst qualities incident to human nature: violence, cruelty, profusion, rapacity, injustice, obstinacy, arrogance, bigotry, presumption, caprice; but neither was he subject to all these vices in the most extreme degree, nor was he at intervals altogether destitute of virtues; he was sincere, open, gallant, liberal, and capable at least of a temporary friendship and attachment. In this respect he was unfortunate, that the incidents of his reign served to display his faults in their full light: the treatment which he met with from the court of Rome provoked him to violence; the danger of a revolt from his superstitious subjects seemed to require the most extreme severity. But it must at the same time be acknowledged that his situation tended to throw an additional lustre

<sup>39</sup> See his will in Fuller, Heylin, and Rymer, p. 110. There is no reasonable ground to suspect its authenticity.



on what was great and magnanimous in his character: the emulation between the emperor and the French king rendered his alliance, notwithstanding his impolitic conduct, of great importance in Europe: the extensive powers of his prerogative, and the submissive, not to say slavish, disposition of his Parliaments, made it the more easy for him to assume and maintain the entire dominion by which his reign is so much distinguished in the English history.

It may seem a little extraordinary that, notwithstanding his cruelty, his extortion, his violence, his arbitrary administration, this prince not only acquired the regard of his subjects, but never was the object of their hatred; he seems even, in some degree, to have possessed to the last their love and affection.<sup>40</sup> His exterior qualities were advantageous, and fit to captivate the multitude; his magnificence and personal bravery rendered him illustrious in vulgar eyes; and it may be said with truth that the English in that age were so thoroughly subdued that, like Eastern slaves, they were inclined to admire those acts of violence and tyranny which were exercised over themselves, and at their own expense.

With regard to foreign states, Henry appears long to have supported an intercourse of friendship with Francis, more sincere and disinterested than usually takes place between neighboring princes. Their common jealousy of the Emperor Charles, and some resemblance in their characters (though the comparison sets the French monarch in a very superior and advantageous light), served as the cement of their mutual amity. Francis is said to have been affected with the king's death, and to have expressed much regret for the loss. His own health began to decline; he foretold that he should not long survive his friend;<sup>41</sup> and he died in about two months after him.

There were ten Parliaments summoned by Henry VIII. and twenty-three sessions held. The whole time in which these Parliaments sat during this long reign exceeded not three years and a half. It amounted not to a twelvemonth during the first twenty years. The innovations in religion obliged the king afterwards to call these assemblies more frequently; but though these were the most important transactions that ever fell under the cognizance of Parliament, their devoted submission to Henry's will, added to their earnest desire of soon returning to their country-seats, pro-

<sup>40</sup> Strype, vol. i. p. 389.

<sup>41</sup> Le Thou.

duced a quick despatch of the bills, and made the sessions of short duration. All the king's caprices were indeed blindly complied with, and no regard was paid to the safety or liberty of the subject. Besides the violent persecution of whatever he was pleased to term heresy, the laws of treason were multiplied beyond all former precedent. Even words to the disparagement of the king, queen, or royal issue were subjected to that penalty; and so little care was taken in framing these rigorous statutes, that they contain obvious contradictions; insomuch that, had they been strictly executed, every man, without exception, must have fallen under the penalty of treason. By one statute,<sup>42</sup> for instance, it was declared treason to assert the validity of the king's marriage, either with Catherine of Arragon or Anne Boleyn; by another<sup>43</sup> it was treason to say any thing to the disparagement or slander of the princesses Mary and Elizabeth and to call them spurious would no doubt have been construed to their slander. Nor would even a profound silence, with regard to these delicate points, be able to save a person from such penalties. For, by the former statute, whoever refused to answer upon oath to any point contained in that act was subjected to the pains of treason. The king, therefore, need only propose to any one a question with regard to the legality of either of his first marriages: if the person were silent, he was a traitor by law; if he answered either in the negative or in the affirmative, he was no less a traitor. So monstrous were the inconsistencies which arose from the furious passions of the king, and the slavish submission of his Parliaments! It is hard to say whether these contradictions were owing to Henry's precipitancy or to a formed design of tyranny.

It may not be improper to recapitulate whatever is memorable in the statutes of this reign, whether with regard to government or commerce; nothing can better show the genius of the age than such a review of the laws.

The abolition of the ancient religion much contributed to the regular execution of justice. While the Catholic superstition subsisted, there was no possibility of punishing any crime in the clergy: the church would not permit the magistrate to try the offences of her members, and she could not herself inflict any civil penalties upon them. But Henry restrained these pernicious immunities; the privilege of clergy was abolished for the crimes of petty treason,

<sup>42</sup> 28 Henry VIII. cap 7.

<sup>43</sup> 34 and 35 Henry VIII. cap 1.

murder, and felony to all under the degree of a subdeacon.<sup>44</sup> But the former superstition not only protected crimes in the clergy; it exempted also the laity from punishment by affording them shelter in the churches and sanctuaries. The Parliament abridged these privileges. It was first declared that no sanctuaries were allowed in cases of high treason;<sup>45</sup> next, in those of murder, felony, rapes, burglary, and petty treason;<sup>46</sup> and it limited them in their particulars.<sup>47</sup> The farther progress of the Reformation removed all distinction between the clergy and other subjects, and also abolished entirely the privileges of sanctuaries. These consequences were implied in the neglect of the canon law.

The only expedient employed to support the military spirit during this age was the reviving and extending of some old laws enacted for the encouragement of archery, on which the defence of the kingdom was supposed much to depend. Every man was ordered to have a bow;<sup>48</sup> butts were ordered to be erected in every parish;<sup>49</sup> and every bowyer was ordered for each bow of yew which he made to make two of elm or wych for the service of the common people.<sup>50</sup> The use of cross-bows and hand-guns was also prohibited.<sup>51</sup> What rendered the English bowmen more formidable was that they carried halberds with them, by which they were enabled upon occasion to engage in close fight with the enemy.<sup>52</sup> Frequent musters or arrays were also made of the people even during the time of peace; and all men of substance were obliged to have a complete suit of armor, or harness, as it was called.<sup>53</sup> The martial spirit of the English during that age rendered this precaution, it was thought, sufficient for the defence of the nation; and as the king had then an absolute power of commanding the service of all his subjects, he could instantly, in case of danger, appoint new officers, and levy regiments, and collect an army as numerous as he pleased. When no faction or division prevailed among the people, there was no foreign power that ever thought of invading England. The city of London alone could muster fifteen thousand men.<sup>54</sup> Discipline, however, was an advantage wanting to those troops, though the garrison of Calais was a nursery of officers; and

<sup>44</sup> 23 Henry VIII. cap. 1.

<sup>46</sup> 32 Henry VIII. cap. 12.

<sup>48</sup> 3 Henry VIII. cap. 3.

<sup>51</sup> 3 Henry VIII. cap. 13.

<sup>53</sup> Hall, fol. 234. Stowe, p. 515. Hollingshed, p. 947.

<sup>54</sup> Hall, fol. 235. Hollingshed, p. 547. Stowe, p. 577.

<sup>45</sup> 26 Henry VIII. cap. 13.

<sup>47</sup> 22 Henry VIII. cap. 14.

<sup>49</sup> Ibid.

<sup>52</sup> Herbert.

<sup>50</sup> Ibid.

Tournay first,<sup>55</sup> Boulogne afterwards, served to increase the number. Every one who served abroad was allowed to alienate his lands without paying any fees.<sup>56</sup> A general permission was granted to dispose of land by will.<sup>57</sup> The Parliament was so little jealous of its privileges (which indeed were at that time scarcely worth preserving) that there is an instance of one Strode, who, because he had introduced into the Lower House some bill regarding tin, was severely treated by the Stannary courts in Cornwall; heavy fines were imposed on him; and upon his refusal to pay, he was thrown into a dungeon, loaded with irons, and used in such a manner as brought his life in danger; yet all the notice which the Parliament took of this enormity, even in such a paltry court, was to enact that no man could afterwards be questioned for his conduct in Parliament.<sup>58</sup> This prohibition, however, must be supposed to extend only to the inferior courts; for as to the king and privy council and star-chamber, they were scarcely bound by any law.

There is a bill of tonnage and poundage, which shows what uncertain ideas the Parliament had formed both of their own privileges and of the rights of the sovereign.<sup>59</sup> This duty had been voted to every king since Henry IV. during the term of his own life only; yet Henry VIII. had been allowed to levy it six years without any law; and though there had been four Parliaments assembled during that time, no attention had been given either to grant it to him regularly or restrain him from levying it. At last the Parliament resolved to give him that supply; but even in this concession they plainly show themselves at a loss to determine whether they grant it or whether he has a right of himself to levy it. They say that the imposition was made to endure during the natural life of the late king, and no longer; they yet blame the merchants who had not paid it to the present king; they observe that the law for tonnage and poundage was expired, yet make no scruple to call that imposition the king's due; they affirm that he had sustained great and manifold losses by those who had defrauded him of it; and, to provide a remedy, they vote him that supply during his lifetime, no longer. It is remarkable that, notwithstanding this last clause, all his successors for more than a century persevered in the like irregular

<sup>55</sup> Hall, fol. 68.

<sup>57</sup> 34 and 35 Henry VIII. cap. 5.

<sup>59</sup> 6 Henry VIII. cap. 14.

<sup>56</sup> 14 and 15 Henry VIII. cap. 15.

<sup>58</sup> 4 Henry VIII. cap. 8.



practice, if a practice may deserve that epithet in which the whole nation acquiesced, and which gave no offence. But when Charles I. attempted to continue in the same course which had now received the sanction of many generations, so much were the opinions of men altered that a furious tempest was excited by it; and historians, partial or ignorant, still represent this measure as a most violent and unprecedented enormity in that unhappy prince.

The king was allowed to make laws for Wales without consent of Parliament.<sup>60</sup> It was forgotten that, with regard both to Wales and England, the limitation was abolished by the statute which gave to the royal proclamations the force of laws.

The foreign commerce of England during this age was mostly confined to the Netherlands. The inhabitants of the Low Countries bought the English commodities, and distributed them into other parts of Europe. Hence the mutual dependence of those countries on each other, and the great loss sustained by both in case of a rupture. During all the variations of politics, the sovereigns endeavored to avoid coming to this extremity; and though the king usually bore a greater friendship to Francis, the nation always leaned towards the emperor.

In 1528 hostilities commenced between England and the Low Countries, and the inconvenience was soon felt on both sides. While the Flemings were not allowed to purchase cloth in England, the English merchants could not buy it from the clothiers, and the clothiers were obliged to dismiss their workmen, who began to be tumultuous for want of bread. The cardinal, to appease them, sent for the merchants, and ordered them to buy cloth as usual; they told him that they could not dispose of it as usual; and, notwithstanding his menaces, he could get no other answer from them.<sup>61</sup> An agreement was at last made to continue the commerce between the states even during war.

It was not till the end of this reign that any salads, carrots, turnips, or other edible roots were produced in England. The little of these vegetables that was used was formerly imported from Holland and Flanders.<sup>62</sup> Queen Catherine, when she wanted a salad, was obliged to despatch a messenger thither on purpose. The use of hops, and the planting of them, was introduced from Flanders about the beginning of this reign or end of the preceding.

<sup>60</sup> 34 Henry VIII.

<sup>61</sup> Hall, fol. 174.

<sup>62</sup> Anderson, vol. i. p. 338.

Foreign artificers, in general, much surpassed the English in dexterity, industry, and frugality; hence the violent animosity which the latter, on many occasions, expressed against any of the former who were settled in England. They had the assurance to complain that all their customers went to foreign tradesmen; and in the year 1517, being moved by the seditious sermons of one Dr. Bele and the intrigues of Lincoln, a broker, they raised an insurrection. The apprentices, and others of the poorer sort, in London, began by breaking open the prisons where some persons were confined for insulting foreigners. They next proceeded to the house of Meutas, a Frenchman much hated by them, where they committed great disorders, killed some of his servants, and plundered his goods. The mayor could not appease them; nor Sir Thomas More, late under-sheriff, though much respected in the city. They also threatened Cardinal Wolsey with some insult; and he thought it necessary to fortify his house and put himself on his guard. Tired at last with these disorders, they dispersed themselves; and the Earls of Shrewsbury and Surrey seized some of them. A proclamation was issued that women should not meet together to babble and talk, and that all men should keep their wives in their houses. Next day the Duke of Norfolk came into the city, at the head of thirteen hundred armed men, and made inquiry into the tumult. Bele and Lincoln and several others were sent to the Tower, and condemned for treason. Lincoln and thirteen more were executed. The other criminals, to the number of four hundred, were brought before the king with ropes about their necks, fell on their knees, and cried for mercy. Henry knew at that time how to pardon: he dismissed them without farther punishment.<sup>63</sup>

So great was the number of foreign artisans in the city that at least fifteen thousand Flemings alone were at one time obliged to leave it, by an order of council, when Henry became jealous of their favor for Queen Catherine.<sup>64</sup> Henry himself confesses, in an edict of the star-chamber printed among the statutes, that the foreigners starved the natives, and obliged them, from idleness, to have recourse to theft, murder, and other enormities.<sup>65</sup> He also asserts that the vast multitude of foreigners raised the price of grain and bread.<sup>66</sup> And to prevent an increase of the evil,

<sup>63</sup> Stowe, p. 505. Hollingshed, p. 840.

<sup>65</sup> 21 Henry VIII.

<sup>64</sup> Le Grand, vol. iii. p. 232.

<sup>66</sup> *Ibid.*

all the foreign artificers were prohibited from having above two foreigners in their house, either journeymen or apprentices. A like jealousy arose against the foreign merchants; and to appease it, a law was enacted obliging all denizens to pay the duties imposed upon aliens.<sup>67</sup> The Parliament had done better to have encouraged foreign merchants and artisans to come over in greater numbers to England, which might have excited the emulation of the natives and have improved their skill. The prisoners in the kingdom for debts and crimes are asserted, in an act of Parliament, to be sixty thousand persons and above,<sup>68</sup> which is scarcely credible. Harrison asserts that seventy-two thousand criminals were executed during this reign for theft and robbery, which would amount nearly to two thousand a year. He adds that, in the latter end of Elizabeth's reign, there were not punished capitally four hundred in a year; it appears that in all England there are not at present fifty executed for those crimes. If these facts be just, there has been a great improvement in morals since the reign of Henry VIII.; and this improvement has been chiefly owing to the increase of industry and of the arts, which have given maintenance and, what is almost of equal importance, occupation to the lower classes.

There is a remarkable clause, in a statute passed near the beginning of this reign,<sup>69</sup> by which we might be induced to believe that England was extremely decayed from the flourishing condition which it had attained in preceding times. It had been enacted in the reign of Edward II. that no magistrate, in town or borough, who by his office ought to keep assize, should, during the continuance of his magistracy, sell, either in wholesale or retail, any wine or victuals. This law seemed equitable in order to prevent fraud or private views in fixing the assize; yet the law is repealed in this reign. The reason assigned is that, "since the making of that statute and ordinance, many and the most part of all the cities, boroughs, and towns corporate within the realm of England are fallen in ruin and decay, and are not inhabited by merchants, and men of such substance, as at the time of making that statute; for at this day the dwellers and inhabitants of the same cities and boroughs are commonly bakers, vintners, fishmongers, and other victuallers, and there remain few others to bear the offices."

<sup>67</sup> 22 Henry VIII. cap. 8.<sup>69</sup> 3 Henry VIII. cap. 8.<sup>68</sup> 3 Henry VIII. cap. 15.

Men have such a propensity to exalt past times above the present that it seems dangerous to credit this reasoning of the Parliament without farther evidence to support it. So different are the views in which the same object appears that some may be inclined to draw an opposite inference from this fact. A more regular police was established in the reign of Henry VIII. than in any former period, and a stricter administration of justice—an advantage which induced the men of landed property to leave the provincial towns, and to retire into the country. Cardinal Wolsey, in a speech to Parliament, represented it as a proof of the increase of riches that the customs had increased beyond what they were formerly.<sup>70</sup>

But if there were really a decay of commerce and industry and populousness in England, the statutes of this reign, except by abolishing monasteries and retrenching holidays, circumstances of considerable moment, were not, in other respects, well calculated to remedy the evil. The fixing of the wages of artificers was attempted;<sup>71</sup> luxury in apparel was prohibited by repeated statutes;<sup>72</sup> and probably without effect. The chancellor and other ministers were empowered to fix the price of poultry, cheese, and butter.<sup>73</sup> A statute was even passed to fix the price of beef, pork, mutton, and veal.<sup>74</sup> Beef and pork were ordered to be sold at a halfpenny a pound, mutton and veal at a halfpenny half a farthing, money of that age. The preamble of the statute says that these four species of butcher's meat were the food of the poorer sort. This act was afterwards repealed.<sup>75</sup>

The practice of depopulating the country by abandoning tillage and throwing the lands into pasturage still continued,<sup>76</sup> as appears by the new laws which were, from time to time, enacted against that practice. The king was entitled to half the rents of the land where any farm-houses were allowed to fall to decay.<sup>77</sup> The unskilful husbandry was probably the cause why the proprietors found no profit in tillage. The number of sheep allowed to be kept in one flock was restrained to two thousand.<sup>78</sup> Sometimes, says the statute, one proprietor, or farmer, would keep a flock of twenty-four thousand. It is remarkable that the Parliament ascribes the

<sup>70</sup> Hall, fol. 110.

<sup>72</sup> 1 Henry VIII. cap. 14. 6 Henry VIII. cap. 1.

<sup>73</sup> 25 Henry VIII. cap. 2.

<sup>75</sup> 33 Henry VIII. cap. 11.

<sup>77</sup> 6 Henry VIII. cap. 5. 7 Henry VIII. cap. 1.

<sup>78</sup> 25 Henry VIII. cap. 13.

<sup>71</sup> 6 Henry VIII. cap. 3.

<sup>7</sup> Henry VIII. cap. 7.

<sup>74</sup> 24 Henry VIII. cap. 3.

<sup>76</sup> Strype, vol. i. p. 392.



increasing price of mutton to this increase of sheep ; because, say they, the commodity being gotten into few hands, the price of it is raised at pleasure.<sup>79</sup> It is more probable that the effect proceeded from the daily increase of money ; for it seems almost impossible that such a commodity could be engrossed.

In the year 1544 it appears that an acre of good land in Cambridgeshire, was let at a shilling, or about fifteen pence of our present money.<sup>80</sup> This is ten times cheaper than the usual rent at present. But commodities were not above four times cheaper—a presumption of the bad husbandry in that age.

Some laws were made with regard to beggars and vagrants,<sup>81</sup> one of the circumstances in government which humanity would most powerfully recommend to a benevolent legislator ; which seems, at first sight, the most easily adjusted, and which is yet the most difficult to settle in such a manner as to attain the end without destroying industry. The convents formerly were a support to the poor, but at the same time tended to encourage idleness and beggary.

In 1546 a law was made for fixing the interest of money at ten per cent., the first legal interest known in England. Formerly all loans of that nature were regarded as usurious. The preamble of this very law treats the interest of money as illegal and criminal ; and the prejudices still remained so strong that the law permitting interest was repealed in the following reign.

This reign, as well as many of the foregoing and even subsequent reigns, abounds with monopolizing laws, confining particular manufactures to particular towns, or excluding the open country in general.<sup>82</sup> There remain still too many traces of similar absurdities. In the subsequent reign, the corporations which had been opened by a former law, and obliged to admit tradesmen of different kinds, were again shut up by act of Parliament ; and every one was prohibited from exercising any trade who was not of the corporation.<sup>83</sup>

Henry, as he possessed himself some talent for letters, was an encourager of them in others. He founded Trinity College in Cambridge, and gave it ample endowments. Wolsey founded Christ Church in Oxford, and intended to

<sup>79</sup> Ibid.

<sup>80</sup> Anderson, vol. i. p. 374.

<sup>81</sup> 22 Henry VIII. cap. 12. 22 Henry VIII. cap. 5.

<sup>82</sup> 21 Henry VIII. cap. 12. 25 Henry VIII. cap. 18. 3 and 4 Edward VI. cap. 10. 5 and 6 Edward VI. cap. 24.

<sup>83</sup> 3 and 4 Edward VI. cap. 20.

call it Cardinal College; but upon his fall, which happened before he had entirely finished his scheme, the king seized all the revenues; and this violence, above all the other misfortunes of that minister, is said to have given him the greatest concern.<sup>84</sup> But Henry afterwards restored the revenues of the college, and only changed the name. The cardinal founded in Oxford the first chair for teaching Greek; and this novelty rent that university into violent factions, which frequently came to blows. The students divided themselves into parties which bore the name of Greeks and Trojans, and sometimes fought with as great animosity as was formerly exercised by those hostile nations. A new and more correct method of pronouncing Greek being introduced, it also divided the Grecians themselves into parties; and it was remarked that the Catholics favored the former pronunciation, the Protestants gave countenance to the new. Gardiner employed the authority of the king and council to suppress innovations in this particular, and to preserve the corrupt sound of the Greek alphabet. So little liberty was then allowed of any kind! The penalties inflicted upon the new pronunciation were no less than whipping, degradation, and expulsion; and the bishop declared that, rather than permit the liberty of innovating in the pronunciation of the Greek alphabet, it were better that the language itself were totally banished the universities. The introduction of the Greek language into Oxford excited the emulation of Cambridge.<sup>85</sup> Wolsey intended to have enriched the library of his college at Oxford with copies of all the manuscripts that were in the Vatican.<sup>86</sup> The countenance given to letters by this king and his ministers contributed to render learning fashionable in England: Erasmus speaks with great satisfaction of the general regard paid by the nobility and gentry to men of knowledge.<sup>87</sup> It is needless to be particular in mentioning the writers of this reign or of the preceding. There is no man of that age who has the least pretension to be ranked among our classics. Sir Thomas More, though he wrote in Latin, seems to come the nearest to the character of a classical author.

<sup>84</sup> Strype, vol. i. p. 117.

<sup>85</sup> Wood's Hist. and Antiq. Oxon. lib. i. p. 245.

<sup>86</sup> Wood's Hist. and Antiq. Oxon. lib. i. p. 249.

<sup>87</sup> Epist. ad Banisium. Also Epist. p. 368.

## CHAPTER XXXIV.

## EDWARD VI.

STATE OF THE REGENCY.—INNOVATIONS IN THE REGENCY.—  
HERTFORD PROTECTOR. — REFORMATION COMPLETED.—  
GARDINER'S OPPOSITION.—FOREIGN AFFAIRS.—PROGRESS  
OF THE REFORMATION IN SCOTLAND.—ASSASSINATION OF  
CARDINAL BEATON.—CONDUCT OF THE WAR WITH SCOT-  
LAND.—BATTLE OF PINKEY.—A PARLIAMENT.—FARTHER  
PROGRESS OF THE REFORMATION.—AFFAIRS OF SCOTLAND.  
—YOUNG QUEEN OF SCOTS SENT INTO FRANCE.—CABALS  
OF LORD SEYMOUR.—DUDLEY, EARL OF WARWICK.—A PAR-  
LIAMENT.—ATTAINDER OF LORD SEYMOUR.—HIS EXECU-  
TION.—ECCLESIASTICAL AFFAIRS.

THE late king, by the regulations which he imposed on the government of his infant son, as well as by the limitations of the succession, had projected to reign even after his decease; and he imagined that his ministers, who had always been so obsequious to him during his lifetime, would never afterwards depart from the plan which he had traced out to them. He fixed the majority of the prince at the completion of his eighteenth year; and, as Edward was then only a few months past nine, he appointed sixteen executors, to whom, during the minority, he intrusted the government of the kingdom. Their names were Cranmer, Archbishop of Canterbury; Lord Wriothlesley, chancellor; Lord St. John, great master; Lord Russel, privy seal; the Earl of Hertford, chamberlain; Viscount Lisle, admiral; Tonsal, Bishop of Durham; Sir Anthony Brown, master of horse; Sir William Paget, secretary of state; Sir Edward North, chancellor of the court of augmentations; Sir Edward Montague, chief justice of the common pleas; Judge Bromley; Sir Anthony Denny and Sir William Herbert, chief gentlemen of the privy chamber; Sir Edward Wotton, treasurer of Calais; Dr. Wotton, Dean of Canterbury. To these executors, with whom was intrusted the whole regal authority, were appointed twelve counsellors, who possessed no im-

mediate power, and could only assist with their advice when any affair was laid before them. The council was composed of the Earls of Arundel and Essex; Sir Thomas Cheney, treasurer of the household; Sir John Gage, comptroller; Sir Anthony Wingfield, vice-chamberlain; Sir William Petre, secretary of state; Sir Richard Rich, Sir John Baker, Sir Ralph Sadler, Sir Thomas Seymour, Sir Richard Southwell, and Sir Edmund Peckham.<sup>1</sup> The usual caprice of Henry appears somewhat in this nomination; while he appointed several persons of inferior station among his executors, he gave only the place of counsellor to a person of such high rank as the Earl of Arundel, and to Sir Thomas Seymour, the king's uncle.

But the first act of the executors and counsellors was to depart from the destination of the late king in a material article. No sooner were they met than it was suggested that the government would lose its dignity for want of some head who might represent the royal majesty, who might receive addresses from foreign ambassadors, to whom despatches from English ministers abroad might be carried, and whose name might be employed in all orders and proclamations; and as the king's will seemed to labor under a defect in this particular, it was deemed necessary to supply it by choosing a protector, who, though he should possess all the exterior symbols of royal dignity, should yet be bound in every act of power to follow the opinion of the executors.<sup>2</sup> This proposal was very disagreeable to Chancellor Wriothesley. That magistrate, a man of an active spirit and high ambition, found himself by his office entitled to the first rank in the regency after the primate; and as he knew that this prelate had no talent or inclination for state affairs, he hoped that the direction of public business would, of course, devolve in a great measure upon himself. He opposed, therefore, the proposal of choosing a protector, and represented that innovation as an infringement of the late king's will, which, being corroborated by act of Parliament, ought in everything to be a law to them, and could not be altered but by the same authority which had established it. But he seems to have stood alone in the opposition. The executors and counsellors were mostly courtiers who had been raised by Henry's favor, not men of high birth or great hereditary influence; and as they had been sufficiently accustomed to submission during the reign of the late monarch, and had

<sup>1</sup> Strype's Memor. vol. ii. p. 457.

<sup>2</sup> Burnet, vol. ii. p. 5.



no pretensions to govern the nation by their own authority, they acquiesced the more willingly in a proposal which seemed calculated for preserving public peace and tranquillity. It being therefore agreed to name a protector, the choice fell, of course, on the Earl of Hertford, who, as he was the king's maternal uncle, was strongly interested in his safety, and, possessing no claims to inherit the crown, could never have any separate interest which might lead him to endanger Edward's person or his authority.<sup>3</sup> The public was informed by proclamation of this change in the administration; and despatches were sent to all foreign courts to give them intimation of it. All those who were possessed of any office resigned their former commissions, and accepted new ones in the name of the young king. The bishops themselves were constrained to make a like submission. Care was taken to insert in their new commissions that they held their offices during pleasure;<sup>4</sup> and it is there expressly affirmed that all manner of authority and jurisdiction, as well ecclesiastical as civil, is originally derived from the crown.<sup>5</sup>

The executors, in their next measure, showed a more submissive deference to Henry's will, because many of them found their account in it. The late king had intended, before his death, to make a new creation of nobility in order to supply the place of those peerages which had fallen by former attainders or the failure of issue; and that he might enable the new peers to support their dignity, he had resolved either to bestow estates on them or advance them to higher offices. He had even gone so far as to inform them of this resolution; and in his will he charged his executors to make good all his promises.<sup>6</sup> That they might ascertain his intentions in the most authentic manner, Sir William Paget, Sir Anthony Denny, and Sir William Herbert, with whom Henry had always conversed in a familiar manner, were called before the board of regency; and having given evidence of what they knew concerning the king's promises, their testimony was relied on, and the executors proceeded to the fulfilling of these engagements. Hertford was created Duke of Somerset, mareschal, and lord treasurer; Wriothesley, Earl of Southampton; the Earl of Essex, Marquis of Northampton; Viscount Lisle, Earl of Warwick; Sir

<sup>3</sup> Hevlin, Hist. Ref. Edward VI.

<sup>4</sup> Collier, vol. ii. p. 218. Burnet, vol. ii. p. 6. Strype's Mem. of Cranm. p. 141.

<sup>5</sup> Strype's Mem. of Cranm. p. 141.

<sup>6</sup> Fuller, Heylin, and Rymer.

Thomas Seymour, Lord Seymour of Sudley and admiral; Sir Richard Rich, Sir William Willoughby, Sir Edward Sheffield, accepted the title of Baron.<sup>7</sup> Several to whom the same dignity was offered refused it, because the other part of the king's promise, the bestowing of estates on these new noblemen, was deferred till a more convenient opportunity. Some of them, however, as also Somerset, the protector, were in the mean time endowed with spiritual preferments, deaneries and prebends. For, among many other invasions of ecclesiastical privileges and property, this irregular practice of bestowing spiritual benefices on laymen began now to prevail.

The Earl of Southampton had always been engaged in an opposite party to Somerset; and it was not likely that factions, which had secretly prevailed even during the arbitrary reign of Henry, should be suppressed in the weak administration that usually attends a minority. The former nobleman, that he might have the greater leisure for attending to public business, had, of himself and from his own authority, put the great seal in commission, and had empowered four lawyers, Southwell, Tregonel, Oliver, and Bellasis, to execute, in his absence, the office of chancellor. This measure seemed very exceptionable, and the more so as, two of the commissioners being canonists, the lawyers suspected that, by this nomination, the chancellor had intended to discredit the common law. Complaints were made to the council, who, influenced by the protector, gladly laid hold of the opportunity to depress Southampton. They consulted the judges with regard to so unusual a case, and received for answer that the commission was illegal, and that the chancellor, by his presumption in granting it, had justly forfeited the great seal, and was even liable to punishment. The council summoned him to appear before them. He maintained that he held his office by the late king's will, founded on an act of Parliament, and could not lose it without a trial in Parliament; that if the commission which he had granted were found illegal, it might be cancelled, and all the ill consequences of it be easily remedied; and that the depriving him of his office for an error of this nature was a precedent by which any other innovation might be authorized. But the council, notwithstanding these topics of defence, declared that he had forfeited the great

<sup>7</sup> Stowe's Annals, p. 594.

seal; that a fine should be imposed upon him; and that he should be confined to his own house during pleasure.<sup>8</sup>

The removal of Southampton increased the protector's authority, as well as tended to suppress factions in the regency; yet was not Somerset contented with this advantage: his ambition carried him to seek still farther acquisitions. On pretence that the vote of the executors choosing him protector was not a sufficient foundation for his authority, he procured a patent from the young king by which he entirely overturned the will of Henry VIII., produced a total revolution in the government, and may seem even to have subverted all the laws of the kingdom. He named himself protector with full regal power, and appointed a council consisting of all the former counsellors, and all the executors except Southampton. He reserved a power of naming any other counsellors at pleasure; and he was bound to consult with such only as he thought proper. The protector and his council were likewise empowered to act at discretion, and to execute whatever they deemed for the public service, without incurring any penalty or forfeiture from any law, statute, proclamation, or ordinance whatsoever.<sup>9</sup> Even had this patent been more moderate in its concessions, and had it been drawn by directions from the executors appointed by Henry, its legality might justly be questioned; since it seems essential to a trust of this nature to be exercised by the persons intrusted, and not to admit of a delegation to others; but as the patent by its very tenor, where the executors are not so much as mentioned, appears to have been surreptitiously obtained from a minor king, the protectorship of Somerset was a plain usurpation, which it is impossible by any arguments to justify. The connivance, however, of the executors, and their present acquiescence in the new establishment, made it be universally submitted to; and as the young king discovered an extreme attachment to his uncle, who was also in the main a man of moderation and probity, no objections were made to his power and title. All men of sense, likewise, who saw the nation divided by the religious zeal of the opposite sects, deemed it the more necessary to intrust the government to one person, who might check the exorbitances of faction and insure the public tranquillity. And though some clauses of the patent seemed to imply a formal subversion of all limited government, so little jealousy was then usually en-

<sup>8</sup> Hollingshed, p. 979.

<sup>9</sup> Burnet, vol. ii. Records, No. 6.

tertained on that head that no exception was ever taken at bare claims or pretensions of this nature advanced by any person possessed of sovereign power. The actual exercise alone of arbitrary administration, and that in many, in great and flagrant and unpopular instances, was able sometimes to give some umbrage to the nation.

The extensive authority and imperious character of Henry had retained the partisans of both religions in subjection; but, upon his demise, the hopes of the Protestants and the fears of the Catholics began to revive, and the zeal of these parties produced everywhere disputes and animosities, the usual preludes to more fatal divisions. The protector had long been regarded as a secret partisan of the reformers; and being now freed from restraint, he scrupled not to discover his intention of correcting all abuses in the ancient religion, and of adopting still more of the Protestant innovations. He took care that all persons intrusted with the king's education should be attached to the same principles; and as the young prince discovered a zeal for every kind of literature, especially the theological, far beyond his tender years, all men foresaw, in the course of his reign, the total abolition of the Catholic faith in England; and they early began to declare themselves in favor of those tenets which were likely to become in the end entirely prevalent. After Southampton's fall, few members of the council seemed to retain any attachment to the Romish communion; and most of the counsellors appeared even sanguine in forwarding the progress of the Reformation. The riches which most of them had acquired from the spoils of the clergy induced them to widen the breach between England and Rome, and, by establishing a contrariety of speculative tenets, as well as of discipline and worship, to render a coalition with the mother church altogether impracticable.<sup>10</sup> Their rapacity, also, the chief source of their reforming spirit, was excited by the prospect of pillaging the secular, as they had already done the regular, clergy; and they knew that while any share of the old principles remained, or any regard to the ecclesiastics, they could never hope to succeed in that enterprise.

The numerous and burdensome superstitions with which the Romish church was loaded had thrown many of the reformers, by the spirit of opposition, into an enthusiastic strain of devotion; and all rites, ceremonies, pomp, order,

<sup>10</sup> Goodwin's Annals. Heylin.



and exterior observances were zealously proscribed by them as hindrances to their spiritual contemplations and obstructions to their immediate converse with Heaven. Many circumstances concurred to inflame this daring spirit: the novelty itself of their doctrines, the triumph of making proselytes, the furious persecutions to which they were exposed, their animosity against the ancient tenets and practices, and the necessity of procuring the concurrence of the laity by depressing the hierarchy, and by tendering to them the plunder of the ecclesiastics. Wherever the Reformation prevailed over the opposition of civil authority this genius of religion appeared in its full extent, and was attended with consequences which, though less durable, were for some time not less dangerous than those which were connected with the ancient superstition. But as the magistrate took the lead in England, the transition was more gradual; much of the ancient religion was still preserved; and a reasonable degree of subordination was retained in discipline, as well as some pomp, order, and ceremony in public worship.

The protector, in his schemes for advancing the Reformation, had always recourse to the counsels of Cranmer, who, being a man of moderation and prudence, was averse to all violent changes, and determined to bring over the people, by insensible innovations, to that system of doctrine and discipline which he deemed the most pure and perfect. He probably also foresaw that a system which carefully avoided the extremes of reformation was likely to be most lasting; and that a devotion merely spiritual was fitted only for the first fervors of a new sect, and, upon the relaxation of these, naturally gave place to the inroads of superstition. He seems, therefore, to have intended the establishment of a hierarchy which, being suited to a great and settled government, might stand as a perpetual barrier against Rome, and might retain the reverence of the people even after their enthusiastic zeal was diminished or entirely evaporated.

The person who opposed, with greatest authority, any farther advances towards reformation was Gardiner, Bishop of Winchester, who, though he had not obtained a place in the council of regency, on account of late disgusts which he had given to Henry, was entitled, by his age, experience, and capacity, to the highest trust and confidence of his party. This prelate still continued to magnify the great

wisdom and learning of the late king, which, indeed, were generally and sincerely revered by the nation ; and he insisted on the prudence of persevering, at least till the young king's majority, in the ecclesiastical model established by that great monarch. He defended the use of images, which were now openly attacked by the Protestants ; and he represented them as serviceable in maintaining a sense of religion among the illiterate multitude.<sup>11</sup> He even deigned to write an apology for *holy water*, which Bishop Ridley had decried in a sermon ; and he maintained that, by the power of the Almighty, it might be rendered an instrument of doing good as much as the shadow of St. Peter, the hem of Christ's garment, or the spittle and clay laid upon the eyes of the blind.<sup>12</sup> Above all, he insisted that the laws ought to be observed, that the constitution ought to be preserved inviolate, and that it was dangerous to follow the will of the sovereign in opposition to an act of Parliament.<sup>13</sup>

But though there remained at that time in England an idea of laws and a constitution, sufficient at least to furnish a topic of argument to such as were discontented with any immediate exercise of authority, this plea could scarcely, in the present case, be maintained with any plausibility by Gardiner. An act of Parliament had invested the crown with a legislative power ; and royal proclamations, even during a minority, were armed with the force of laws. The protector, finding himself supported by this statute, was determined to employ his authority in favor of the reformers ; and having suspended, during the interval, the jurisdiction of the bishops, he appointed a general visitation to be made in all the dioceses of England.<sup>14</sup> The visitors consisted of a mixture of clergy and laity, and had six circuits assigned them. The chief purport of their instructions was, besides correcting immoralities and irregularities in the clergy, to abolish the ancient superstitions, and to bring the discipline and worship somewhat nearer the practice of the reformed churches. The moderation of Somerset and Cranmer is apparent in the conduct of this delicate affair. The visitors were enjoined to retain for the present all images which had not been abused to idolatry ; and to instruct the people not to despise such ceremonies as were not yet abrogated, but only to beware of some particular superstitions, such as the sprinkling of their beds with holy water, and the ringing of

<sup>11</sup> Fox, vol. ii. p. 712.

<sup>13</sup> Collier, vol. ii. p. 228. Fox, vol. ii.

<sup>12</sup> Fox, vol. ii. p. 724.

<sup>14</sup> Mem. Cranm. pp. 146, 147, etc.

bells, or using of consecrated candles, in order to drive away the devil.<sup>15</sup>

But nothing required more the correcting hand of authority than the abuse of preaching, which was now generally employed, throughout England, in defending the ancient practices and superstitions. The court of augmentation, in order to ease the exchequer of the annuities paid to monks, had commonly placed them in the vacant churches; and these men were led by interest, as well as by inclination, to support those principles which had been invented for the profit of the clergy. Orders, therefore, were given to restrain the topics of their sermons; twelve homilies were published, which they were enjoined to read to the people; and all of them were prohibited, without express permission, from preaching anywhere but in their parish churches. The purpose of this injunction was to throw a restraint on the Catholic divines; while the Protestant, by the grant of particular licenses, should be allowed unbounded liberty.

Bonner made some opposition to these measures, but soon after retracted and acquiesced. Gardiner was more high-spirited and more steady. He represented the peril of perpetual innovations, and the necessity of adhering to some system. "'Tis a dangerous thing," said he, "to use too much freedom in researches of this kind. If you cut the old canal, the water is apt to run farther than you have a mind to. If you indulge the humor of novelty, you cannot put a stop to people's demands, nor govern their indiscretions at pleasure." "For my part," said he, on another occasion, "my sole concern is to manage the third and last act of my life with decency, and to make a handsome exit off the stage. Provided this point is secured, I am not solicitous about the rest. I am already by nature condemned to death; no man can give me a pardon from this sentence, nor so much as procure me a reprieve. To speak my mind and to act as my conscience directs are two branches of liberty which I can never part with. Sincerity in speech and integrity in action are entertaining qualities; they will stick by a man when everything else takes its leave, and I must not resign them upon any consideration. The best on it is, if I do not throw them away myself, no man can force them from me; but if I give them up, then I am ruined by myself, and deserve to lose all my preferments."<sup>16</sup> This opposition of

<sup>15</sup> Burnet, vol. ii. p. 28.

<sup>16</sup> Collier, vol. ii. p. 228, ox. L.S. Col. C. C. Cantab. Bibliotheca Britannica, article Gardiner.

Gardiner drew on him the indignation of the council, and he was sent to the Fleet, where he was used with some severity.

One of the chief objections urged by Gardiner against the new homilies was that they defined, with the most metaphysical precision, the doctrines of grace and of justification by faith—points, he thought, which it was superfluous for any man to know exactly, and which certainly much exceeded the comprehension of the vulgar. A famous martyr-logist calls Gardiner, on account of this opinion, “an insensible ass, and one that had no feeling of God’s Spirit in the matter of justification.”<sup>17</sup> The meanest Protestant imagined, at that time, that he had a full comprehension of all those mysterious doctrines, and he heartily despised the most learned and knowing person of the ancient religion who acknowledged his ignorance with regard to them. It is indeed certain that the reformers were very fortunate in their doctrine of justification, and might venture to foretell its success in opposition to all the ceremonies, shows, and superstitions of popery. By exalting Christ and his sufferings, and renouncing all claim to independent merit in ourselves, it was calculated to become popular, and coincided with those principles of panegyric and of self-abasement which generally have place in religion.

Tonstal, Bishop of Durham, having, as well as Gardiner, made some opposition to the new regulations, was dismissed the council; but no farther severity was, for the present, exercised against him. He was a man of great moderation, and of the most unexceptionable character in the kingdom.

The same religious zeal which engaged Somerset to promote the reformation at home led him to carry his attention to foreign countries, where the interests of the Protestants were now exposed to the most imminent danger. The Roman pontiff, with much reluctance and after long delays, had at last summoned a general council, which was assembled at Trent, and was employed both in correcting the abuses of the church and in ascertaining her doctrines. The emperor, who desired to repress the power of the court of Rome, as well as gain over the Protestants, promoted the former object of the council; the pope, who found his own greatness so deeply interested, desired rather to employ them in the latter. He gave instructions to his legates, who presided in the council, to protract the debates, and to en-

<sup>17</sup> Fox, vol. ii.



gaged the theologians in argument and altercation and dispute concerning the nice points of faith canvassed before them—a policy so easy to be executed that the legates soon found it rather necessary to interpose, in order to appease the animosity of the divines and bring them at last to some decision.<sup>18</sup> The more difficult task for the legates was to moderate or divert the zeal of the council for reformation, and to repress the ambition of the prelates, who desired to exalt the episcopal authority on the ruins of the sovereign pontiff. Finding this humor become prevalent, the legates, on pretence that the plague had broken out at Trent, transferred of a sudden the council to Bologna, where, they hoped, it would be more under the direction of his holiness.

The emperor, no less than the pope, had learned to make religion subservient to his ambition and policy. He was resolved to employ the imputation of heresy as a pretence for subduing the Protestant princes and oppressing the liberties of Germany, but found it necessary to cover his intentions under deep artifice, and to prevent the combination of his adversaries. He separated the Palatine and the Elector of Brandenburg from the Protestant confederacy; he took arms against the Elector of Saxony and the Landgrave of Hesse; by the fortune of war, he made the former prisoner; he employed treachery and prevarication against the latter, and detained him captive by breaking a safe-conduct which he had granted him. He seemed to have reached the summit of his ambition; and the German princes, who were astonished with his success, were farther discouraged by the intelligence which they had received of the death first of Henry VIII., then of Francis I., their usual resources in every calamity.<sup>19</sup>

Henry II., who succeeded to the crown of France, was a prince of vigor and abilities, but less hasty in his resolution than Francis, and less inflamed with rivalry and animosity against the Emperor Charles. Though he sent ambassadors to the princes of the Smalcadic League, and promised them protection, he was unwilling, in the commencement of his reign, to hurry into a war with so great a power as that of the emperor; and he thought that the alliance of those princes was a sure resource which he could at any time lay hold of.<sup>20</sup> He was much governed by the Duke of Guise and the Cardinal of Lorraine, and he hearkened to their counsel in choosing rather to give immediate assistance to Scotland,

<sup>18</sup> Father Paul, lib. 2.

<sup>19</sup> Sleidan.

<sup>20</sup> Pere Daniel.

his ancient ally, which, even before the death of Henry VIII., had loudly claimed the protection of the French monarchy.

The hatred between the two factions, the partisans of the ancient and those of the new religion, became every day more violent in Scotland; and the resolution, which the cardinal primate had taken, to employ the most rigorous punishments against the reformers brought matters to a quick decision. There was one Wishart, a gentleman by birth, who employed himself with great zeal in preaching against the ancient superstitions, and began to give alarm to the clergy, who were justly terrified with the danger of some fatal revolution in religion. This man was celebrated for the purity of his morals and for his extensive learning; but these praises cannot be much depended on, because we know that, among the reformers, severity of manners supplied the place of many virtues; and the age was in general so ignorant that most of the priests in Scotland imagined the New Testament to be a composition of Luther's, and asserted that the Old alone was the word of God.<sup>21</sup> But, however the case may have stood with regard to those estimable qualities ascribed to Wishart, he was strongly possessed with the desire of innovation; and he enjoyed those talents which qualified him for becoming a popular preacher, and for seizing the attention and affections of the multitude. The magistrates of Dundee, where he exercised his mission, were alarmed with his progress; and, being unable or unwilling to treat him with rigor, they contented themselves with denying him the liberty of preaching, and with dismissing him the bounds of their jurisdiction. Wishart, moved with indignation that they had dared to reject him, together with the word of God, menaced them, in imitation of the ancient prophets, with some imminent calamity; and he withdrew to the west country, where he daily increased the number of his proselytes. Meanwhile a plague broke out in Dundee; and all men exclaimed that the town had drawn down the vengeance of Heaven by banishing the pious preacher, and that the pestilence would never cease till they had made him atonement for their offence against him. No sooner did Wishart hear of this change in their disposition than he returned to them, and made them a new tender of his doctrine; but lest he should spread the contagion by bringing multitudes together, he erected his pulpit on the

<sup>21</sup> See note [F] at the end of the volume.

top of a gate: the infected stood within, the others without. And the preacher failed not, in such a situation, to take advantage of the immediate terrors of the people, and to enforce his evangelical mission.<sup>22</sup>

The assiduity and success of Wishart became an object of attention to Cardinal Beaton; and he resolved, by the punishment of so celebrated a preacher, to strike a terror into all other innovators. He engaged the Earl of Bothwell to arrest him, and to deliver him into his hands, contrary to a promise given by Bothwell to that unhappy man; and being possessed of his prey, he conducted him to St. Andrew's, where, after a trial, he condemned him to the flames for heresy. Arran, the governor, was irresolute in his temper; and the cardinal, though he had gained him over to his party, found that he would not concur in the condemnation and execution of Wishart. He determined, therefore, without the assistance of the secular arm to bring that heretic to punishment; and he himself beheld from his window the dismal spectacle. Wishart suffered with the usual patience, but could not forbear remarking the triumph of his insulting enemy. He foretold that, in a few days, he should, in the very same place, lie as low as now he was exalted aloft in opposition to true piety and religion.<sup>23</sup>

This prophecy was probably the immediate cause of the event which it foretold. The disciples of this martyr, enraged at the cruel execution, formed a conspiracy against the cardinal; and having associated to them Norman Lesly, who was disgusted on account of some private quarrel, they conducted their enterprise with great secrecy and success. Early in the morning they entered the cardinal's palace, which he had strongly fortified; and though they were not above sixteen persons, they thrust out a hundred tradesmen and fifty servants, whom they seized separately, before any suspicion arose of their intentions; and having shut the gates, they proceeded very deliberately to execute their purpose on the cardinal. That prelate had been alarmed with the noise which he heard in the castle, and had barricaded the door of his chamber; but finding that they had brought fire in order to force their way, and having obtained, as is believed, a promise of life, he opened the door, and, reminding them that he was a priest, he conjured them to spare him. Two of the assassins rushed upon him with drawn swords; but a third, James Melvil, more calm and

<sup>22</sup> Knox's Hist. of Ref. p. 44. Spotswood.

<sup>23</sup> Spotswood. Buchanan.

more considerate in villany, stopped their career, and bade them reflect that this sacrifice was the work and judgment of God, and ought to be executed with becoming deliberation and gravity. Then turning the point of his sword towards Beaton, he called to him, "Repent thee, thou wicked cardinal, of all thy sins and iniquities, especially of the murder of Wishart, that instrument of God for the conversion of these lands; it is his death which now cries vengeance upon thee; we are sent by God to inflict the deserved punishment. For here, before the Almighty, I protest that it is neither hatred of thy person, nor love of thy riches, nor fear of thy power, which moves me to seek thy death, but only because thou hast been, and still remainest, an obstinate enemy to Christ Jesus and his holy gospel." Having spoken these words, without giving Beaton time to finish that repentance to which he exhorted him, he thrust him through the body; and the cardinal fell dead at his feet.<sup>24</sup> This murder was executed on the 28th of May, 1546. The assassins, being reinforced by their friends to the number of a hundred and forty persons, prepared themselves for the defence of the castle, and sent a messenger to London craving assistance from Henry. That prince, though Scotland was comprehended in his peace with France, would not forego the opportunity of disturbing the government of a rival kingdom; and he promised to take them under his protection.

It was the peculiar misfortune of Scotland that five short reigns had been successively followed by as many long minorities; and the execution of justice, which the prince was beginning to introduce, had been continually interrupted by the cabals, factions, and animosities of the great. But, besides these inveterate and ancient evils, a new source of disorder had arisen, the disputes and contentions of theology, which were sufficient to disturb the most settled government; and the death of the cardinal, who was possessed of abilities and vigor, seemed much to weaken the hands of the administration. But the queen-dowager was a woman of uncommon talents and virtue, and she did as much to

<sup>24</sup> The famous Scotch reformer, John Knox, calls James Melvil (p. 65) a man most gentle and most modest. It is very horrid, but at the same time somewhat amusing, to consider the joy and alacrity and pleasure which that historian discovers in his narrative of this assassination; and it is remarkable that, in the first edition of his work, these words were printed in the margin of the page: "The Godly Fact and Words of James Melvil." But the following editors retrenched them. Knox himself had no hand in the murder of Beaton, but he afterwards joined the assassins and assisted them in holding out the castle. (See Keith's Hist. of the Ref. of Scotland, p. 43.)



support the government and supply the weakness of Arran, the governor, as could be expected in her situation.

The protector of England, as soon as the state was brought to some composure, made preparations for war with Scotland; and he was determined to execute, if possible, that project, of uniting the two kingdoms by marriage, on which the late king had been so intent, and which he had recommended with his dying breath to his executors. He levied an army of eighteen thousand men, and equipped a fleet of sixty sail, one half of which were ships of war, the other laden with provisions and ammunition. He gave the command of the fleet to Lord Clinton; he himself marched at the head of the army, attended by the Earl of Warwick. These hostile measures were covered with a pretence of revenging some depredations committed by the borderers; but besides that Somerset revived the ancient claim of the superiority of the English crown over that of Scotland, he refused to enter into negotiation on any other condition than the marriage of the young queen with Edward.

The protector, before he opened the campaign, published a manifesto in which he enforced all the arguments for that measure. He said that nature seemed originally to have intended this island for one empire; and having cut it off from all communication with foreign states, and guarded it by the ocean, she had pointed out to the inhabitants the road to happiness and to security; that the education and customs of the people concurred with nature, and, by giving them the same language and laws and manners, had invited them to a thorough union and coalition; that fortune had at last removed all obstacles, and had prepared an expedient by which they might become one people, without leaving any place for that jealousy either of honor or of interests to which rival nations are naturally exposed; that the crown of Scotland had devolved on a female, that of England on a male, and happily the two sovereigns, as of a rank, were also of an age the most suitable to each other; that the hostile dispositions which prevailed between the nations, and which arose from past injuries, would soon be extinguished, after a long and secure peace had established confidence between them; that the memory of former miseries, which at present inflamed their mutual animosity, would then serve only to make them cherish, with more passion, a state of happiness and tranquillity so long unknown to their ancestors; that when hostilities had ceased

between the kingdoms, the Scottish nobility, who were at present obliged to remain perpetually in a warlike posture, would learn to cultivate the arts of peace, and would soften their minds to a love of domestic order and obedience; that as the situation was desirable to both kingdoms, so particularly to Scotland, which had been exposed to the greatest miseries from intestine and foreign wars, and saw herself every moment in danger of losing her independence by the efforts of a richer and more powerful people; that though England had claims of superiority, she was willing to resign every pretension for the sake of future peace, and desired an union, which would be the more secure as it would be concluded on terms entirely equal; and that, besides all these motives, positive engagements had been taken for completing this alliance, and the honor and good faith of the nation were pledged to fulfil what her interest and safety so loudly demanded.<sup>25</sup>

Somerset soon perceived that these remonstrances would have no influence, and that the queen-dowager's attachment to France and to the Catholic religion would render ineffectual all negotiations for the intended marriage. He found himself, therefore, obliged to try the force of arms, and to constrain the Scots by necessity to submit to a measure for which they seemed to have entertained the most incurable aversion. He passed the borders at Berwick, and advanced towards Edinburgh, without meeting any resistance for some days, except from some small castles which he obliged to surrender at discretion. The protector intended to have punished the governor and garrison of one of these castles for their temerity in resisting such unequal force; but they eluded his anger by asking only a few hours' respite, till they should prepare themselves for death; after which they found his ears more open to their applications for mercy.<sup>26</sup>

The governor of Scotland had summoned together the whole force of the kingdom; and his army, double in number to that of the English, had taken post on advantageous ground, guarded by the banks of the Eske, about four miles from Edinburgh. The English came within sight of them at Faside; and after a skirmish between the horse, where the Scots were worsted and Lord Hume dangerously wounded, Somerset prepared himself for a more decisive action. But having taken a view of the Scottish camp with

<sup>25</sup> Sir John Haywood in Kennet, p. 279. Heylin. p. 42.

<sup>26</sup> Haywood. Patten.

the Earl of Warwick, he found it difficult to make an attempt upon it with any probability of success. He wrote, therefore, another letter to Arran; and offered to evacuate the kingdom, as well as to repair all the damages which he had committed, provided the Scots would stipulate not to contract the queen to any foreign prince, but to detain her at home till she reached the age of choosing a husband for herself. So moderate a demand was rejected by the Scots, merely on account of its moderation; and it made them imagine that the protector must either be reduced to great distress or be influenced by fear, that he was now contented to abate so much of his former pretensions. Inflamed, also, by their priests, who had come to the camp in great numbers, they believed that the English were detestable heretics, abhorred of God and exposed to divine vengeance, and that no success could ever crown their arms. They were confirmed in this fond conceit when they saw the protector change his ground and move towards the sea; nor did they any longer doubt that he intended to embark his army and make his escape on board the ships, which at that very time moved into the bay opposite to him.<sup>27</sup> Determined, therefore, to cut off his retreat, they quitted their camp, and, passing the river Eske, advanced into the plain. They were divided into three bodies: Angus commanded the vanguard, Arran the main body, Huntley the rear; their cavalry consisted only of light horse, which were placed on their left flank, strengthened by some Irish archers whom Argyle had brought over for this service.

Somerset was much pleased when he saw this movement of the Scottish army; and as the English had usually been superior in pitched battles, he conceived great hopes of success. He ranged his van on the left, farthest from the sea, and ordered them to remain on the high grounds on which he placed them till the enemy should approach; he placed his main battle and his rear towards the right; and beyond the van he posted Lord Grey at the head of the men at arms, and ordered him to take the Scottish van in flank, but not till they should be engaged in close fight with the van of the English.

While the Scots were advancing on the plain, they were galled with the artillery from the English ships; the eldest son of Lord Graham was killed; the Irish archers were thrown into disorder, and even the other troops began to

<sup>27</sup> Hollingshed, p. 985.

stagger, when Lord Grey, perceiving their situation, neglected his orders, left his ground, and, at the head of his heavy-armed horse, made an attack on the Scottish infantry, in hopes of gaining all the honor of the victory. On advancing, he found a slough and ditch in his way; and behind were ranged the enemy, armed with spears, and the field on which they stood was fallow ground broken with ridges which lay across their front, and disordered the movements of the English cavalry. From all these accidents the shock of this body of horse was feeble and irregular; and as they were received on the points of the Scottish spears, which were longer than the lances of the English horsemen, they were in a moment pierced, overthrown, and discomfited. Grey himself was dangerously wounded; Lord Edward Seymour, son of the protector, had his horse killed under him; the standard was near being taken; and had the Scots possessed any good body of cavalry, who could have pursued the advantage, the whole English army had been exposed to great danger.<sup>28</sup>

The protector, meanwhile, assisted by Sir Ralph Sadler and Sir Ralph Vane, employed himself with diligence and success in rallying the cavalry. Warwick showed great presence of mind in maintaining the ranks of the foot on which the horse had recoiled; he made Sir Peter Meutas advance, captain of the foot arquebusiers, and Sir Peter Gamboa, captain of some Italian and Spanish arquebusiers on horseback, and ordered them to ply the Scottish infantry with their shot. They marched to the slough, and discharged their pieces full in the face of the enemy; the ships galled them from the flank; the artillery, planted on a height, infested them from the front; the English archers poured in a shower of arrows upon them; and the vanguard, descending from the hill, advanced leisurely, and in good order, towards them. Dismayed with all these circumstances, the Scottish van began to retreat; the retreat soon changed into a flight, which was begun by the Irish archers. The panic of the van communicated itself to the main body, and, passing thence to the rear, rendered the whole field a scene of confusion, terror, flight, and consternation. The English army perceived from the heights the condition of the Scots, and began the pursuit with loud shouts and acclamations, which added still more to the dismay of the vanquished. The horse in particular, eager to avenge the affront which

<sup>28</sup> Patten. Hollingshed, p. 986.



they had received in the beginning of the day, did the most bloody execution on the flying enemy ; and from the field of battle to Edinburgh, for the space of five miles, the whole ground was strewed with dead bodies. The priests, above all, and the monks, received no quarter ; and the English made sport of slaughtering men who, from their extreme zeal and animosity, had engaged in an enterprise so ill befitting their profession. Few victories have been more decisive, or gained with smaller loss to the conquerors. There fell not two hundred of the English ; and, according to the most moderate computation, there perished above ten thousand of the Scots. About fifteen hundred were taken prisoners. This action was called the battle of Pinkey, from a nobleman's seat of that name in the neighborhood.

The queen-dowager and Arran fled to Stirling, and were scarcely able to collect such a body of forces as could check the incursions of small parties of the English. About the same time the Earl of Lenox and Lord Wharton entered the west marches at the head of five thousand men ; and after taking and plundering Annan, they spread devastation over all the neighboring counties.<sup>29</sup> Had Somerset prosecuted his advantages, he might have imposed what terms he pleased on the Scottish nation ; but he was impatient to return to England, where he heard some counsellors, and even his own brother, the admiral, were carrying on cabals against his authority. Having taken the castles of Hume, Dunglass, Eymouth, Fastcastle, Roxborough, and some other small places, and having received the submission of some counties on the borders, he retired from Scotland. The fleet, besides destroying all the shipping along the coast, took Broughty in the Frith of Tay ; and having fortified it, they there left a garrison. Arran desired leave to send commissioners in order to treat of a peace ; and Somerset, having appointed Berwick for the place of conference, left Warwick with full powers to negotiate ; but no commissioners from Scotland ever appeared. The overture of the Scots was an artifice to gain time till succors should arrive from France.

The protector, on his arrival in England, summoned a Parliament ; and being somewhat elated with his success against the Scots, he procured from his nephew a patent appointing him to sit on the throne, upon a stool or bench, at the right hand of the king, and to enjoy the same honors and privileges that had usually been possessed by any prince

<sup>29</sup> Hollingshed, p. 992.

of the blood or uncle of the kings of England. In this patent the king employed his dispensing power by setting aside the statute of precedence enacted during the former reign.<sup>30</sup> But if Somerset gave offence by assuming too much state, he deserves great praise on account of the laws passed this session, by which the rigor of former statutes was much mitigated and some security given to the freedom of the constitution. All laws were repealed which extended the crime of treason beyond the statute of the twenty-fifth of Edward III.;<sup>31</sup> all laws enacted during the late reign extending the crime of felony; all the former laws against Lollardy or heresy, together with the statute of the six articles. None were to be accused for words but within a month after they were spoken. By these repeals several of the most rigorous laws that ever had passed in England were annulled; and some dawn both of civil and religious liberty began to appear to the people. Heresy, however, was still a capital crime by the common law, and was subjected to the penalty of burning; only there remained no precise standard by which that crime could be defined or determined—a circumstance which might either be advantageous or hurtful to public security, according to the disposition of the judges.

A repeal also passed of that law, the destruction of all laws, by which the king's proclamation was made of equal force with a statute.<sup>32</sup> That other law, likewise, was mitigated by which the king was empowered to annul every statute passed before the four-and-twentieth year of his age; he could prevent their future execution, but could not recall any past effects which had ensued from them.<sup>33</sup>

It was also enacted that all who denied the king's supremacy, or asserted the pope's, should, for the first offence, forfeit their goods and chattels, and suffer imprisonment during pleasure; for the second offence, should incur the penalty of a *præmunire*; and for the third, be attainted of treason. But if any, after the first of March ensuing, endeavored, by writing, printing, or any overt act or deed, to deprive the king of his estate or titles, particularly of his supremacy, or to confer them on any other, he was to be adjudged guilty of treason. If any of the heirs of the crown should usurp upon another, or endeavor to break the order of succession, it was declared treason in them, their

<sup>30</sup> Rymer, vol. xv. p. 164.

<sup>32</sup> 1 Edward VI. cap. 2.

<sup>31</sup> 1 Edward VI. cap. 12.

<sup>33</sup> *Ibid.*

aiders and abettors. These were the most considerable acts passed during the session. The members in general discovered a very passive disposition with regard to religion: some few appeared zealous for the Reformation; others secretly harbored a strong propensity to the Catholic faith; but the greater part appeared willing to take any impression which they should receive from interest, authority, or the reigning fashion.<sup>34</sup>

The convocation met at the same time with the Parliament; and as it was found that their debates were at first cramped by the rigorous statute of the six articles, the king granted them a dispensation from that law before it was repealed by Parliament.<sup>35</sup> The lower house of convocation applied to have liberty of sitting with the Commons in Parliament; or, if this privilege were refused them, which they claimed as their ancient right, they desired that no law regarding religion might pass in Parliament without their consent and approbation. But the principles which now prevailed were more favorable to the civil than to the ecclesiastical power, and this demand of the convocation was rejected.

[1548.] The protector had assented to the repeal of that law which gave to the king's proclamations the authority of statutes; but he did not intend to renounce that arbitrary or discretionary exercise of power in issuing proclamations which had ever been assumed by the crown, and which it is difficult to distinguish exactly from a full legislative power. He even continued to exert his authority in some particulars which were then regarded as the most momentous. Orders were issued by council that candles should no longer be carried about on Candlemas-day, ashes on Ash-Wednesday, palms on Palm-Sunday.<sup>36</sup> These were ancient religious practices, now termed superstitions; though it is fortunate for mankind when superstition happens to take a direction so innocent and inoffensive. The severe disposition which naturally attends all reformers prompted likewise the council to abolish some gay and showy ceremonies which belonged to the ancient religion.<sup>37</sup>

An order was also issued by the council for the removal of all images from the churches, an innovation which was much desired by the reformers, and which alone, with re-

<sup>34</sup> Heylin, p. 48.

<sup>36</sup> Burnet, vol. ii. p. 59. Collier, vol. ii. p. 241. Heylin, p. 55.

<sup>37</sup> Burnet, vol. ii.

<sup>35</sup> Antiq. Britan. p. 339.

gard to the populace, amounted almost to a total change of the established religion.<sup>38</sup> An attempt had been made to separate the use of images from their abuse, the reverence from the worship of them; but the execution of this design was found, upon trial, very difficult, if not wholly impracticable.

As private masses were abolished by law, it became necessary to compose a new communion service; and the council went so far, in the preface which they prefixed to this work, as to leave the practice of auricular confession wholly indifferent.<sup>39</sup> This was a prelude to the entire abolition of that invention, one of the most powerful engines that ever was contrived for degrading the laity and giving their spiritual guides an entire ascendant over them. And it may justly be said that, though the priest's absolution, which attends confession, serves somewhat to ease weak minds from the immediate agonies of superstitious terror, it operates only by enforcing superstition itself, and thereby preparing the mind for a more violent relapse into the same disorders.

The people were at that time extremely distracted by the opposite opinions of their preachers; and as they were totally unable to judge of the reasons advanced on either side, and naturally regarded every thing which they heard at church as of equal authority, a great confusion and fluctuation resulted from this uncertainty. The council at first endeavored to remedy the inconvenience by laying some restraint on preaching; but, finding this expedient ineffectual, they imposed a total silence on the preachers, and thereby put an end at once to all the polemics of the pulpit.<sup>40</sup> By the nature of things, this restraint could only be temporary; for in proportion as the ceremonies of public worship, its shows and exterior observances, were retrenched by the reformers, the people were inclined to contract a stronger attachment to sermons, whence alone they received any occupation or amusement. The ancient religion, by giving its votaries something to do, freed them from the trouble of thinking: sermons were delivered only in the principal churches and at some particular fasts and festivals; and the practice of haranguing the populace, which, if abused, is so powerful an incitement to faction and sedition, had much less scope and influence during those ages.

The greater progress was made towards a reformation

<sup>38</sup> Burnet, vol. ii. p. 60. Collier, vol. ii. p. 241. Heylin, p. 55.

<sup>39</sup> Burnet, vol. ii.

<sup>40</sup> Fuller. Heylin. Burnet.



in England, the farther did the protector find himself from all prospect of completing the union with Scotland; and the queen-dowager, as well as the clergy, became the more averse to all alliance with a nation which had so far departed from all ancient principles. Somerset, having taken the town of Haddington, had ordered it to be strongly garrisoned and fortified by Lord Grey; he also erected some fortifications at Lauder; and he hoped that these two places, together with Broughty and some smaller fortresses which were in the hands of the English, would serve as a curb on Scotland, and would give him access into the heart of the country.

Arran, being disappointed in some attempts on Broughty, relied chiefly on the succors expected from France for the recovery of these places; and they arrived at last in the Frith, to the number of six thousand men, half of them Germans. They were commanded by Dessé, and under him by Andelot, Strozzi, Meilleraye, and Count Rhingrave. The Scots were at that time so sunk by their misfortunes that five hundred English horse were able to ravage the whole country without resistance and make inroads to the gates of the capital;<sup>41</sup> but on the appearance of the French succors they collected more courage, and, having joined Dessé with a considerable reinforcement, they laid siege to Haddington.<sup>42</sup> This was an undertaking for which they were by themselves totally unfit; and, even with the assistance of the French, they placed their chief hopes of success in starving the garrison. After some vain attempts to take the place by a regular siege, the blockade was formed, and the garrison was repulsed with loss in several sallies which they made upon the besiegers.

The hostile attempts which the late king and the protector had made against Scotland, not being steady, regular, nor pushed to the last extremity, had served only to irritate the nation, and to inspire them with the strongest aversion to that union which was courted in so violent a manner. Even those who were inclined to the English alliance were displeased to have it imposed on them by force of arms; and the Earl of Huntley, in particular, said pleasantly that he disliked not the match, but he hated the manner of wooing.<sup>43</sup> The queen-dowager, finding these sentiments to prevail, called a Parliament in an abbey near Haddington;

<sup>41</sup> Beaugé, *Hist. of the Campaigns 1548 and 1549*, p. 6.

<sup>42</sup> Hollingshed, p. 993.

<sup>43</sup> Heylin p. 46. Patten.

and it was there proposed that the young queen, for her greater security, should be sent to France, and be committed to the custody of that ancient ally. Some objected that this measure was desperate, allowed no resource in case of miscarriage, exposed the Scots to be subjected by foreigners, involved them in perpetual war with England, and left them no expedient by which they could conciliate the friendship of that powerful nation. It was answered, on the other hand, that the queen's presence was the very cause of war with England; that that nation would desist when they found that their views of forcing a marriage had become altogether impracticable; and that Henry, being engaged by so high a mark of confidence, would take their sovereign under his protection, and use his utmost efforts to defend the kingdom. These arguments were aided by French gold, which was plentifully distributed among the nobles. The governor had a pension conferred on him of twelve thousand livres a year, received the title of Duke of Chatelrault, and obtained for his son the command of a hundred men at arms.<sup>44</sup> And as the clergy dreaded the consequences of the English alliance, they seconded this measure with all the zeal and industry which either principle or interest could inspire. It was accordingly determined to send the queen to France, and, what was understood to be the necessary consequence, to marry her to the dauphin. Villegaignon, commander of four French galleys lying in the Frith of Forth, set sail as if he intended to return home; but when he reached the open sea, he turned northwards, passed by the Orkneys, and came in on the west coast at Dunbarton—an extraordinary voyage for ships of that fabric.<sup>45</sup> The young queen was there committed to him; and being attended by the Lords Erskine and Livingstone, she put to sea, and, after meeting with some tempestuous weather, arrived safely at Brest, whence she was conducted to Paris, and soon after she was betrothed to the dauphin.

Somerset, pressed by many difficulties at home, and despairing of success in his enterprise against Scotland, was desirous of composing the differences with that kingdom, and he offered the Scots a ten years' truce; but as they insisted on his restoring all the places which he had taken, the proposal came to nothing. The Scots recovered the

<sup>44</sup> Burnet, vol. ii. p. 83. Buchanan, lib. 15. Keith, p. 55. Thuanus, lib. 5, c. 15.

<sup>45</sup> Thuanus, lib. 5, c. 15.

fortress of Hume and Fastcastle by surprise, and put the garrison to the sword; they repulsed, with loss, the English, who, under the command of Lord Seymour, made a descent first in Fife, then at Montrose: in the former action James Stuart, natural brother to the queen, acquired honor; in the latter, Areskine, of Dun. An attempt was made by Sir Robert Bowes and Sir Thomas Palmer, at the head of a considerable body, to throw relief into Haddington; but these troops, falling into an ambuscade, were almost wholly cut in pieces.<sup>46</sup> And though a small body of two hundred men escaped all the vigilance of the French, and arrived safely in Haddington with some ammunition and provisions, the garrison was reduced to such difficulties that the protector found it necessary to provide more effectually for their relief. He raised an army of eighteen thousand men, and adding three thousand Germans, who, on the dissolution of the Protestant alliance, had offered their service to England, he gave the command of the whole to the Earl of Shrewsbury.<sup>47</sup> Dessé raised the blockade on the approach of the English, and with great difficulty made good his retreat to Edinburgh, where he posted himself advantageously. Shrewsbury, who had lost the opportunity of attacking him on his march, durst not give him battle in his present situation; and contenting himself with the advantage already gained, of supplying Haddington, he retired into England.

Though the protection of France was of great consequence to the Scots in supporting them against the invasions of England, they reaped still more benefit from the distractions and divisions which had crept into the councils of this latter kingdom. Even the two brothers, the protector and admiral, not content with the high stations which they severally enjoyed, and the great eminence to which they had risen, had entertained the most violent jealousy of each other; and they divided the whole court and kingdom by their opposite cabals and pretensions. Lord Seymour was a man of insatiable ambition; arrogant, assuming, implacable; and though esteemed of superior capacity to the protector, he possessed not, to the same degree, the confidence and regard of the people. By his flattery and address he had so insinuated himself into the good graces of the queen-dowager that, forgetting her usual prudence and decency, she married him immediately upon the demise of the late king; insomuch that, had she soon proved pregnant,

<sup>46</sup> Stowe, p. 595. Hollingshed, p. 994.

<sup>47</sup> Hayward, p. 291.

it might have been doubtful to which husband the child belonged. The credit and riches of this alliance supported the ambition of the admiral, but gave umbrage to the Duchess of Somerset, who, uneasy that the younger brother's wife should have the precedence, employed all her credit with her husband, which was too great, first to create, then to widen the breach between the two brothers.<sup>48</sup>

The first symptoms of this misunderstanding appeared when the protector commanded the army in Scotland. Secretary Paget, a man devoted to Somerset, remarked that Seymour was forming separate intrigues among the counsellors; was corrupting, by presents, the king's servants; and even endeavoring, by improper indulgences and liberalities, to captivate the affections of the young monarch. Paget represented to him the danger of this conduct; desired him to reflect on the numerous enemies whom the sudden elevation of their family had created; and warned him that any dissension between him and the protector would be greedily laid hold of to effect the ruin of both. Finding his remonstrances neglected, he conveyed intelligence of the danger to Somerset, and engaged him to leave the enterprise upon Scotland unfinished, in order to guard against the attempts of his domestic enemies. In the ensuing Parliament the admiral's projects appeared still more dangerous to public tranquillity; and as he had acquired many partisans, he made a direct attack upon his brother's authority. He represented to his friends that formerly, during a minority, the office of protector of the kingdom had been kept separate from that of governor of the king's person, and that the present union of these two important trusts conferred on Somerset an authority which could not safely be lodged in any subject.<sup>49</sup> The young king was even prevailed on to write a letter to the Parliament desiring that Seymour might be appointed his governor, and that nobleman had formed a party in the two Houses by which he hoped to effect his purpose. The design was discovered before its execution; and some common friends were sent to remonstrate with him, but had so little influence that he threw out many menacing expressions, and rashly threatened that, if he were thwarted in his attempt, he would make this Parliament the blackest that ever sat in England.<sup>50</sup> The council sent for him to answer for his conduct, but he refused to attend;

<sup>48</sup> Hayward, p. 301. Heylin, p. 72. Camden. Thuanus, lib. 6. c. 5. Haynes, p. 69.

<sup>49</sup> Haynes, pp. 82, 90.

<sup>50</sup> Haynes, p. 75.



they then began to threaten in their turn, and informed him that the king's letter, instead of availing him any thing to the execution of his views, would be imputed to him as a criminal enterprise, and be construed as a design to disturb the government by forming a separate interest with a child and minor. They even let fall some menaces of sending him to the Tower for his temerity; and the admiral, finding himself prevented in his design, was obliged to submit, and to desire a reconciliation with his brother.

The mild and moderate temper of Somerset made him willing to forget these enterprises of the admiral; but the ambition of that turbulent spirit could not be so easily appeased. His spouse, the queen-dowager, died in childbed; but so far from regarding this event as a check to his aspiring views, he founded on it the scheme of a more extraordinary elevation. He made his addresses to the Lady Elizabeth, then in the sixteenth year of her age; and that princess, whom even the hurry of business and the pursuits of ambition could not, in her more advanced years, disengage entirely from the tender passions, seems to have listened to the insinuations of a man who possessed every talent proper to captivate the affections of the fair.<sup>51</sup> But as Henry VIII. had excluded his daughters from all hopes of succession if they married without the consent of his executors, which Seymour could never hope to obtain, it was concluded that he meant to affect his purpose by expedients still more rash and more criminal. All the other measures of the admiral tended to confirm this suspicion. He continued to attack, by presents, the fidelity of those who had more immediate access to the king's person; he endeavored to seduce the young prince into his interests; he found means of holding a private correspondence with him; he openly decried his brother's administration, and asserted that, by enlisting Germans and other foreigners, he intended to form a mercenary army, which might endanger the king's authority and the liberty of the people; by promises and persuasion he brought over to his party many of the principal nobility, and had extended his interest all over England; he neglected not even the most popular persons of inferior rank; and had computed that he could, on occasion, muster an army of ten thousand men, composed of his servants, tenants, and retainers;<sup>52</sup> he had already provided arms for their use; and having engaged in his interests Sir John

<sup>51</sup> Haynes, pp. 95, 96, 102, 108.

<sup>52</sup> Haynes, p. 105, 106.

Sharrington, a corrupt man, master of the mint at Bristol, he flattered himself that money would not be wanting. Somerset was well apprised of all these alarming circumstances, and endeavored, by the most friendly expedients, by entreaty, reason, and even by heaping new favors upon the admiral, to make him desist from his dangerous counsels; but finding all endeavors ineffectual, he began to think of more severe remedies. The Earl of Warwick was an ill instrument between the brothers, and had formed the design, by inflaming the quarrel, to raise his own fortune on the ruins of both.

Dudley, Earl of Warwick, was the son of that Dudley, minister to Henry VII., who, having by rapine, extortion, and perversion of law, incurred the hatred of the public, had been sacrificed to popular animosity in the beginning of the subsequent reign. The late king, sensible of the iniquity, at least illegality, of the sentence, had afterwards restored young Dudley's blood by act of Parliament; and finding him endowed with abilities, industry, and activity, he had intrusted him with many important commands, and had ever found him successful in his undertakings. He raised him to the dignity of Viscount Lisle, conferred on him the office of admiral, and gave him, by his will, a place among his executors. Dudley made still farther progress during the minority; and having obtained the title of Earl of Warwick, and undermined the credit of Southampton, he bore the chief rank among the protector's counsellors. The victory gained at Pinkey was much ascribed to his courage and conduct, and he was universally regarded as a man equally endowed with the talents of peace and of war. But all these virtues were obscured by still greater vices: an exorbitant ambition, an insatiable avarice, a neglect of decency, a contempt of justice; and as he found that Lord Seymour, whose abilities and enterprising spirit he chiefly dreaded, was involving himself in ruin by his rash counsels, he was determined to push him on the precipice, and thereby remove the chief obstacle to his own projected greatness.

When Somerset found that the public peace was endangered by his brother's seditious, not to say rebellious, schemes, he was the more easily persuaded by Warwick to employ the extent of royal authority against him; and after depriving him of the office of admiral, he signed a warrant for committing him to the Tower. Some of his accomplices were also taken into custody; and three privy-coun-

sellors being sent to examine them, made a report that they had met with very full and important discoveries. Yet still the protector suspended the blow, and showed a reluctance to ruin his brother. He offered to desist from the prosecution if Seymour would promise him a cordial reconciliation, and, renouncing all ambitious hopes, be contented with a private life and retire into the country. But as Seymour made no other answer to these friendly offers than menaces and defiances, he ordered a charge to be drawn up against him, consisting of thirty-three articles,<sup>53</sup> and the whole to be laid before the privy council. It is pretended that every particular was so incontestably proved, both by witnesses and his own handwriting, that there was no room for doubt; yet did the council think proper to go in a body to the Tower in order more fully to examine the prisoner. He was not daunted by their appearance: he boldly demanded a fair trial; required to be confronted with the witnesses; desired that the charge might be left with him in order to be considered; and refused to answer any interrogatories by which he might accuse himself.

It is apparent that, notwithstanding what is pretended, there must have been some deficiency in the evidence against Seymour, when such demands, founded on the plainest principles of law and equity, were absolutely rejected. We shall indeed conclude, if we carefully examine the charge, that many of the articles were general and scarcely capable of any proof; many of them, if true, susceptible of a more favorable interpretation; and that though, on the whole, Seymour appears to have been a dangerous subject, he had not advanced far in those treasonable projects imputed to him. The chief part of his actual guilt seems to have consisted in some unwarrantable practices in the admiralty, by which pirates were protected and illegal impositions laid upon the merchants.

But the administration had, at that time, an easy instrument of vengeance, to wit, the Parliament; and needed not to give themselves any concern with regard either to the guilt of the persons whom they prosecuted or the evidence which could be produced against them. A session of Parliament being held, it was resolved to proceed against Seymour by bill of attainder; and the young king being induced, after much solicitation, to give his consent to it, a considerable weight was put on his approbation. [1549.]

<sup>53</sup> Burnet, vol. ii. coll. 31. 2 and 3 Edward VI. cap. 18.

The matter was first laid before the Upper House ; and several peers, rising up in their places, gave an account of what they knew concerning Lord Seymour's conduct, and his criminal words or actions. These narratives were received as undoubted evidence ; and though the prisoner had formerly engaged many friends and partisans among the nobility, no one had either the courage or equity to move that he might be heard in his defence, that the testimony against him should be delivered in a legal manner, and that he should be confronted with the witnesses. A little more scruple was made in the House of Commons : there were even some members who objected against the whole method of proceeding by bill of attainder passed in absence ; and insisted that a formal trial should be given to every man before his condemnation. But when a message was sent by the king enjoining the House to proceed, and offering that the same narratives should be laid before them which had satisfied the Peers, they were easily prevailed on to acquiesce.<sup>54</sup> The bill passed in a full House. Near four hundred voted for it ; not above nine or ten against it.<sup>55</sup> The sentence was soon after executed, and the prisoner was beheaded on Tower-hill. The warrant was signed by Somerset, who was exposed to much blame on account of the violence of these proceedings. The attempts of the admiral seem chiefly to have been levelled against his brother's usurped authority ; and though his ambitious, enterprising character, encouraged by a marriage with the Lady Elizabeth, might have endangered the public tranquillity, the prudence of foreseeing evils at such a distance was deemed too great, and the remedy was plainly illegal. It could only be said that this bill of attainder was somewhat more tolerable than the preceding ones to which the nation had been inured ; for here, at least, some shadow of evidence was produced.

All the considerable business transacted this session, besides the attainder of Lord Seymour, regarded ecclesiastical affairs, which were now the chief object of attention throughout the nation. A committee of bishops and divines had been appointed by the council to compose a liturgy, and they had executed the work committed to them. They proceeded with moderation in this delicate undertaking ; they retained as much of the ancient mass as the principles of the reformers would permit ; they indulged noth-

<sup>54</sup> 2 and 3 Edward VI. cap. 18.

<sup>55</sup> Burnet, vol. ii. p. 99.



ing of the spirit of contradiction, which so naturally takes place in all great innovations; and they flattered themselves that they had established a service in which every denomination of Christians might without scruple concur. The mass had always been celebrated in Latin—a practice which might have been deemed absurd had it not been found useful to the clergy by impressing the people with an idea of some mysterious unknown virtue in those rites, and by checking all their pretensions to be familiarly acquainted with their religion. But as the reformers pretended, in some few particulars, to encourage private judgment in the laity, the translation of the liturgy, as well as of the Scriptures, into the vulgar tongue seemed more conformable to the genius of their sect; and this innovation, with the retrenching of prayers to saints and of some superstitious ceremonies, was the chief difference between the old mass and the new liturgy. The Parliament established this form of worship in all the churches, and ordained a uniformity to be observed in all the rites and ceremonies.<sup>56</sup>

There was another material act which passed this session. The former canons had established the celibacy of the clergy; and though this practice is usually ascribed to the policy of the court of Rome, who thought that the ecclesiastics would be more devoted to their spiritual head, and less dependent on the civil magistrate, when freed from the powerful tie of wives and children, yet was this institution much forwarded by the principles of superstition inherent in human nature. These principles had rendered the panegyrics on an inviolate chastity so frequent among the ancient fathers long before the establishment of celibacy. And even this Parliament, though they enacted a law permitting the marriage of priests, yet confess, in the preamble, “that it were better for priests and the ministers of the church to live chaste and without marriage, and it were much to be wished they would of themselves abstain.” The inconveniences which had arisen from the compelling of chastity and the prohibiting of marriage are the reasons assigned for indulging a liberty in this particular.<sup>57</sup> The ideas of penance, also, were so much retained in other particulars that an act of Parliament passed forbidding the use of flesh-meat during Lent and other times of abstinence.<sup>58</sup>

The principal tenets and practices of the Catholic relig-

<sup>56</sup> 2 and 3 Edward VI. cap. 1.

<sup>58</sup> 2 and 3 Edward VI. cap. 19. See note [G] at the end of the volume.

<sup>57</sup> 2 and 3 Edward VI. cap. 21.

ion were now abolished, and the Reformation, such as it is enjoyed at present, was almost entirely completed in England. But the doctrine of the real presence, though tacitly condemned by the new communion-service, and by the abolition of many ancient rites, still retained some hold on the minds of men; and it was the last doctrine of popery that was wholly abandoned by the people.<sup>59</sup> The great attachment of the late king to that tenet might in part be the ground of this obstinacy; but the chief cause was really the extreme absurdity of the principle itself and the profound veneration which, of course, it impressed on the imagination. The priests, likewise, were much inclined to favor an opinion which attributed to them so miraculous a power; and the people, who believed that they participated of the very body and blood of their Saviour, were loath to renounce so extraordinary and, as they imagined, so salutary a privilege. The general attachment to this dogma was so violent that the Lutherans, notwithstanding their separation from Rome, had thought proper, under another name, still to retain it; and the Catholic preachers in England, when restrained in all other particulars, could not forbear, on every occasion, inculcating that tenet. Bonner, for this offence, among others, had been tried by the council, had been deprived of his see, and had been committed to custody. Gardiner, also, who had recovered his liberty, appeared anew refractory to the authority which established the late innovations; and he seemed willing to countenance that opinion, much favored by all the English Catholics, that the king was indeed supreme head of the church, but not the council during a minority. Having declined to give full satisfaction on this head, he was sent to the Tower, and threatened with farther effects of the council's displeasure.

These severities, being exercised on men possessed of office and authority, seemed in that age a necessary policy in order to enforce a uniformity in public worship and discipline; but there were other instances of persecution, derived from no origin but the bigotry of theologians—a malady which seems almost incurable. Though the Protestant divines had ventured to renounce opinions deemed certain during many ages, they regarded, in their turn, the new system as so certain that they would suffer no contradiction with regard to it; and they were ready to burn, in the same flames from which they themselves had so nar-

<sup>59</sup> Burnet, vol. ii. p. 104.

rowly escaped, every one that had the assurance to differ from them. A commission, by act of council, was granted to the primate and some others to examine and search after all anabaptists, heretics, or contemners of the Book of Common Prayer.<sup>60</sup> The commissioners were enjoined to reclaim them if possible, to impose penance on them, and to give them absolution; or, if these criminals were obstinate, to excommunicate and imprison them, and to deliver them over to the secular arm; and in the execution of this charge they were not bound to observe the ordinary methods of trial: the forms of law were dispensed with; and if any statutes happened to interfere with the powers in the commission, they were overruled and abrogated by the council. Some tradesmen in London were brought before these commissioners, and were accused of maintaining, among other opinions, that a man regenerate could not sin, and that, though the outward man might offend, the inward was incapable of all guilt. They were prevailed on to abjure, and were dismissed. But there was a woman accused of heretical pravity, called Joan Bocher, or Joan of Kent, who was so pertinacious that the commissioners could make no impression upon her. Her doctrine was "that Christ was not truly incarnate of the Virgin, whose flesh, being the outward man, was sinfully begotten and born in sin, and consequently he could take none of it; but the Word, by the consent of the inward man of the Virgin, was made flesh."<sup>61</sup> This opinion, it would seem, is not orthodox; and there was a necessity for delivering the woman to the flames for maintaining it. But the young king, though in such tender years, had more sense than all his counsellors and preceptors, and he long refused to sign the warrant for her execution. Cranmer was employed to persuade him to compliance; and he said that there was a great difference between errors in other points of divinity and those which were in direct contradiction to the Apostles' creed: these latter were impieties against God, which the prince, being God's deputy, ought to repress, in like manner as inferior magistrates were bound to punish offences against the king's person. Edward, overcome by importunity, at last submitted, though with tears in his eyes; and he told Cranmer that if any wrong were done, the guilt should lie entirely on his head. The primate, after making a new effort to reclaim the woman from her errors,

<sup>60</sup> Burnet, vol. ii. p. 3. Rymer, vol. xv. p. 181.

<sup>61</sup> Burnet, vol. ii. coll. 35. Strype's Mem. Cranm. p. 181.

and finding her obstinate against all his arguments, at last committed her to the flames. Some time after, a Dutchman called Van Paris, accused of the heresy which has received the name of Arianism, was condemned to the same punishment. He suffered with so much satisfaction that he hugged and caressed the fagots that were consuming him—a species of frenzy of which there is more than one instance among the martyrs of that age.<sup>62</sup>

These rigorous methods of proceeding soon brought the whole nation to a conformity, seeming or real, with the new doctrine and the new liturgy. The Lady Mary alone continued to adhere to the mass, and refused to admit the established modes of worship. When pressed and menaced on this head, she applied to the emperor, who, using his interest with Sir Philip Hobby, the English ambassador, procured her a temporary connivance from the council.<sup>63</sup>

<sup>62</sup> Burnet, vol. ii. p. 112. Strype's Mem. Cranm. p. 181.

<sup>63</sup> Heylin, p. 102.



## CHAPTER XXXV.

DISCONTENTS OF THE PEOPLE.—INSURRECTIONS.—CONDUCT OF THE WAR WITH SCOTLAND.—WITH FRANCE.—FACCTIONS IN THE COUNCIL.—CONSPIRACY AGAINST SOMERSET.—SOMERSET RESIGNS THE PROTECTORSHIP.—A PARLIAMENT.—PEACE WITH FRANCE AND SCOTLAND.—BOULOGNE SURRENDERED.—PERSECUTION OF GARDINER.—WARWICK CREATED DUKE OF NORTHUMBERLAND.—HIS AMBITION.—TRIAL OF SOMERSET.—HIS EXECUTION.—A PARLIAMENT. — A NEW PARLIAMENT. — SUCCESSION CHANGED.—THE KING'S SICKNESS—AND DEATH.

THERE is no abuse so great in civil society as not to be attended with a variety of beneficial consequences; and in the beginnings of reformation the loss of these advantages is always felt very sensibly, while the benefit resulting from the change is the slow effect of time, and is seldom perceived by the bulk of a nation. Scarce any institution can be imagined less favorable, in the main, to the interests of mankind than that of monks and friars; yet was it followed by many good effects, which, having ceased by the suppression of monasteries, were much regretted by the people of England. The monks, always residing in their convents, in the centre of their estates, spent their money in the provinces and among their tenants, afforded a ready market for commodities, and were a sure resource to the poor and indigent; and though their hospitality and charity gave but too much encouragement to idleness, and prevented the increase of public riches, yet did it provide to many a relief from the extreme pressures of want and necessity. It is also observable that, as the friars were limited by the rules of their institution to a certain mode of living, they had not equal motives for extortion with other men; and they were acknowledged to have been in England, as they still are in Roman Catholic countries, the best and most indulgent landlords. The abbots and priors were permitted to give leases at an under value, and to receive, in return, a large present from the tenant, in the same manner as is still prac-

tised by the bishops and colleges. But when the abbey-lands were distributed among the principal nobility and courtiers, they fell under a different management: the rents of farms were raised, while the tenants found not the same facility in disposing of the produce; the money was often spent in the capital; and the farmers, living at a distance, were exposed to oppression from their new masters, or to the still greater rapacity of the stewards.

These grievances of the common people were at that time heightened by other causes. The arts of manufacture were much more advanced in other European countries than in England, and even in England these arts had made greater progress than the knowledge of agriculture—a profession which, of all mechanical employments, requires the most reflection and experience. A great demand arose for wool both abroad and at home; pasturage was found more profitable than unskilful tillage; whole estates were laid waste by inclosures; the tenants, regarded as a useless burden, were expelled their habitations; even the cottagers, deprived of the commons on which they formerly fed their cattle, were reduced to misery; and a decay of people, as well as a diminution of the former plenty, was remarked in the kingdom.<sup>1</sup> This grievance was now of an old date; and Sir Thomas More, alluding to it, observes in his *Utopia* that a sheep had become in England a more ravenous animal than a lion or wolf, and devoured whole villages, cities, and provinces.

The general increase, also, of gold and silver in Europe, after the discovery of the West Indies, had a tendency to inflame these complaints. The growing demand, in the more commercial countries, had heightened everywhere the price of commodities which could easily be transported thither; but in England the labor of men, who could not so easily change their habitation, still remained nearly at the ancient rates; and the poor complained that they could no longer gain a subsistence by their industry. It was by an addition alone of toil and application they were enabled to procure a maintenance; and though this increase of industry was at last the effect of the present situation, and an effect beneficial to society, yet was it difficult for the people to shake off their former habits of indolence; and nothing but necessity could compel them to such an exertion of their faculties.

<sup>1</sup> Strype, vol. ii. Repository Q.

It must also be remarked that the profusion of Henry VIII. had reduced him, notwithstanding his rapacity, to such difficulties that he had been obliged to remedy a present necessity by the pernicious expedient of debasing the coin; and the wars in which the protector had been involved had induced him to carry still farther the same abuse. The usual consequences ensued: the good specie was hoarded or exported; base metal was coined at home or imported from abroad in great abundance; the common people, who received their wages in it, could not purchase commodities at the usual rates; a universal diffidence and stagnation of commerce took place; and loud complaints were heard in every part of England.

The protector, who loved popularity and pitied the condition of the people, encouraged these complaints by his endeavors to redress them. He appointed a commission for making inquiry concerning inclosures, and issued a proclamation ordering all late inclosures to be laid open by a day appointed. The populace, meeting with such countenance from government, began to rise in several places, and to commit disorders, but were quieted by remonstrances and persuasion. In order to give them greater satisfaction, Somerset appointed new commissioners, whom he sent everywhere, with an unlimited power to hear and determine all causes about inclosures, highways and cottages.<sup>2</sup> As this commission was disagreeable to the gentry and nobility, they stigmatized it as arbitrary and illegal; and the common people, fearing it would be eluded, and being impatient for immediate redress, could no longer contain their fury, but sought for a remedy by force of arms. The rising began at once in several parts of England, as if a universal conspiracy had been formed by the commonalty. The rebels in Wiltshire were dispersed by Sir William Herbert; those in the neighboring counties, Oxford and Gloucester, by Lord Grey of Wilton. Many of the rioters were killed in the field; others were executed by martial law. The commotions in Hampshire, Sussex, Kent, and other counties were quieted by gentler expedients; but the disorders in Devonshire and Norfolk threatened more dangerous consequences.

The commonalty in Devonshire began with the usual complaints against inclosures and against oppressions from the gentry; but the parish priest of Sampford-Courtenay

<sup>2</sup> Burnet, vol. ii. p. 115. Strype, vol. ii. p. 171.

had the address to give their discontent a direction towards religion; and the delicacy of the subject in the present emergency made the insurrection immediately appear formidable. In other counties the gentry had kept closely united with government, but here many of them took part with the populace; among others, Humphry Arundel, governor of St. Michael's Mount. The rioters were brought into the form of a regular army, which amounted to the number of ten thousand. Lord Russel had been sent against them at the head of a small force; but finding himself too weak to encounter them in the field, he kept at a distance, and began to negotiate with them in hopes of eluding their fury by delay, and of dispersing them by the difficulty of their subsisting in a body. Their demands were that the mass should be restored, half of the abbey-lands resumed, the law of the six articles executed, holy water and holy bread respected, and all other particular grievances redressed.<sup>3</sup> The council, to whom Russel transmitted these demands, sent a haughty answer, commanded the rebels to disperse, and promised them pardon upon their immediate submission. Enraged at this disappointment, they marched to Exeter, carrying before them crosses, banners, holy water, candlesticks, and other implements of ancient superstition; together with the host, which they covered with a canopy.<sup>4</sup> The citizens of Exeter shut their gates; and the rebels, as they had no cannon, endeavored to take the place, first by escalade, then by mining, but were repulsed in every attempt. Russel, meanwhile, lay at Honiton till reinforced by Sir William Herbert, and Lord Grey, with some German horse, and some Italian arquebusiers under Battista Spinola. He then resolved to attempt the relief of Exeter, which was now reduced to extremities. He attacked the rebels, drove them from all their posts, did great execution upon them both in the action and pursuit,<sup>5</sup> and took many prisoners. Arundel and the other leaders were sent to London, tried, and executed. Many of the inferior sort were put to death by martial law; <sup>6</sup> the vicar of St. Thomas, one of the principal incendiaries, was hanged on the top of his own steeple, arrayed in his popish weeds, with his beads at his girdle.<sup>7</sup>

The insurrection in Norfolk rose to a still greater height, and was attended with greater acts of violence. The popu-

<sup>3</sup> Hayward, p. 292. Hollingshed, p. 1003. Fox, vol. ii. p. 666. Mem. Cranm. p. 186.

<sup>5</sup> Stowe's Annals, p. 597. Hayward, p. 295.

<sup>4</sup> Heylin, p. 76.

<sup>6</sup> Hayward, pp. 295, 296.

<sup>7</sup> Heylin, p. 76. Hollingshed, p. 1026.



lace were at first excited, as in other places, by complaints against inclosures; but finding their numbers amount to twenty thousand, they grew insolent, and proceeded to more exorbitant pretensions. They required the suppression of the gentry, the placing of new counsellors about the king, and the re-establishment of the ancient rites. One Ket, a tanner, had assumed the government over them, and he exercised his authority with the utmost arrogance and outrage. Having taken possession of Moushold-hill, near Norwich, he erected his tribunal under an old oak, thence called the oak of reformation: and summoning the gentry to appear before him, he gave such decrees as might be expected from his character and situation. The Marquis of Northampton was first ordered against him, but met with a repulse in an action where Lord Sheffield was killed.<sup>8</sup> The protector affected popularity, and cared not to appear in person against the rebels; he therefore sent the Earl of Warwick at the head of six thousand men, levied for the wars against Scotland, and he thereby afforded his mortal enemy an opportunity of increasing his reputation and character. Warwick, having tried some skirmishes with the rebels, at last made a general attack upon them, and put them to flight. Two thousand fell in the action and pursuit; Ket was hanged at Norwich castle, nine of his followers on the boughs of the oak of reformation; and the insurrection was entirely suppressed. Some rebels in Yorkshire, learning the fate of their companions, accepted the offers of pardon, and threw down their arms. A general indemnity was soon after published by the protector.<sup>9</sup>

But though the insurrections were thus quickly subdued in England, and no traces of them seemed to remain, they were attended with bad consequences to the foreign interests of the nation. The forces of the Earl of Warwick, which might have made a great impression on Scotland, were diverted from that enterprise; and the French general had leisure to reduce that country to some settlement and composure. He took the fortress of Broughty, and put the garrison to the sword. He straitened the English at Haddington; and though Lord Dacres was enabled to throw relief into the place, and to reinforce the garrison, it was found at last very chargeable, and even impracticable, to keep possession of that fortress. The whole country in the

<sup>8</sup> Stowe, p. 597. Hollingshed, pp. 1030-34. Strype, vol. ii. p. 174.

<sup>9</sup> Hayward, pp. 297, 298, 299.

neighborhood was laid waste by the inroads both of the Scots and English, and could afford no supply to the garrison; the place lay above thirty miles from the borders, so that a regular army was necessary so escort any provisions thither; and as the plague had broken out among the troops, they perished daily, and were reduced to a state of great weakness. For these reasons orders were given to dismantle Haddington, and to convey the artillery and garrison to Berwick; and the Earl of Rutland, now created warden of the east marches, executed the orders.

The King of France also took advantage of the distractions among the English, and made an attempt to recover Boulogne and that territory which Henry VIII. had conquered from France. On other pretences he assembled an army; and falling suddenly upon the Boulonnois, took the castles of Sellaque, Blackness, and Ambleteuse, though well supplied with garrisons, ammunition, and provisions.<sup>10</sup> He endeavored to surprise Boulenberg, and was repulsed; but the garrison, not thinking the place tenable after the loss of the other fortresses, destroyed the works and retired to Boulogne. The rains, which fell in great abundance during the autumn, and a pestilential distemper which broke out in the French camp, deprived Henry of all hopes of success against Boulogne itself; and he retired to Paris.<sup>11</sup> He left the command of the army to Gaspar de Coligny, Lord of Chatillon, so famous afterwards by the name of Admiral Coligny; and he gave him orders to form the siege early in the spring. The active disposition of this general engaged him to make, during the winter, several attempts against the place, but they all proved unsuccessful.

Strozzi, who commanded the French fleet and galleys, endeavored to make a descent on Jersey; but meeting there with an English fleet, he commenced an action which seems not to have been decisive, since the historians of the two nations differ in the account of the event.<sup>12</sup>

As soon as the French war broke out, the protector endeavored to fortify himself with the alliance of the emperor; and he sent over Secretary Paget to Brussels, where Charles then kept court, in order to assist Sir Philip Hobby, the resident ambassador, in this negotiation. But that prince had formed a design of extending his dominions by acting the part of champion for the Catholic religion; and though ex-

<sup>10</sup> Thuanus, lib. 6, c. 6.

<sup>12</sup> Thuanus. King Edward's Journal. Stowe, p. 597.

<sup>11</sup> Hayward, p. 300.

tremely desirous of accepting the English alliance against France, his capital enemy, he thought it unsuitable to his other pretensions to enter into strict confederacy with a nation which had broken off all connections with the church of Rome. He therefore declined the advances of friendship from England, and eluded the applications of the ambassadors. An exact account is preserved of this negotiation, in a letter of Hobby's; and it is remarkable that the emperor, in a conversation with the English ministers, asserted that the prerogatives of a king of England were more extensive than those of a king of France.<sup>13</sup> Burnet, who preserves this letter, subjoins, as a parallel instance, that one objection which the Scots made to marrying their queen with Edward was that all their privileges would be swallowed up by the great prerogative of the kings of England.<sup>14</sup>

Somerset, despairing of assistance from the emperor, was inclined to conclude a peace with France and Scotland; and besides that he was not in a condition to maintain such ruinous wars, he thought that there no longer remained any object of hostility. The Scots had sent away their queen, and could not, if ever so much inclined, complete the marriage contracted with Edward; and as Henry VIII. had stipulated to restore Boulogne in 1554, it seemed a matter of small moment to anticipate a few years the execution of the treaty. But when he proposed these reasons to the council, he met with strong opposition from his enemies, who, seeing him unable to support the war, were determined for that very reason to oppose all proposals for a pacification. The factions ran high in the court of England, and matters were drawing to an issue fatal to the authority of the protector.

After Somerset obtained the patent investing him with regal authority, he no longer paid any attention to the opinion of the other executors and counsellors; and, being elated with his high dignity, as well as with his victory at Pinkey, he thought that every one ought, in every thing, to yield to his sentiments. All those who were not entirely devoted to him were sure to be neglected; whoever opposed his will received marks of anger or contempt;<sup>15</sup> and while he showed a resolution to govern every thing, his capacity appeared not in any respect proportioned to his ambition. Warwick, more subtle and artful, covered more exorbitant

<sup>13</sup> Burnet, vol. ii. pp. 132, 175.

<sup>15</sup> Strype, vol. ii. p. 181.

<sup>14</sup> Burnet, vol. ii. p. 133.

views under fairer appearances ; and having associated himself with Southampton, who had been readmitted into the council, he formed a strong party, who were determined to free themselves from the slavery imposed on them by the protector.

The malcontent counsellors found the disposition of the nation favorable to their designs. The nobility and gentry were in general displeased with the preference which Somerset seemed to have given to the people ; and as they ascribed all the insults to which they had been lately exposed to his procrastination and to the countenance shown to the multitude, they apprehended a renewal of the same disorders from his present affectation of popularity. He had erected a court of requests in his own house for the relief of the people,<sup>16</sup> and he interposed with the judges in their behalf—a measure which might be deemed illegal, if any exertion of prerogative at that time could with certainty deserve that appellation. And this attempt, which was a stretch of power, seemed the more impolitic because it disgusted the nobles, the surest support of monarchical authority.

But though Somerset courted the people, the interest which he had formed with them was in no degree answerable to his expectations. The Catholic party, who retained influence with the lower ranks, were his declared enemies, and took advantage of every opportunity to decry his conduct. The attainder and execution of his brother bore an odious aspect ; the introduction of foreign troops into the kingdom was represented in invidious colors ; the great estate which he had suddenly acquired, at the expense of the church and of the crown, rendered him obnoxious ; and the palace which he was building in the Strand served by its magnificence, and still more by other circumstances which attended it, to expose him to the censure of the public. The parish church of St. Mary, with three bishops' houses, was pulled down in order to furnish ground and materials for this structure ; not content with that sacrilege, an attempt was made to demolish St. Margaret's, Westminster, and to employ the stones to the same purpose ; but the parishioners rose in a tumult, and chased away the protector's tradesmen. He then laid his hands on a chapel in St. Paul's churchyard, with a cloister and charnel-house belonging to it ; and these edifices, together with a church of St. John of Jerusalem, were made use of to raise his palace. What rendered the

<sup>16</sup> Strype, vol. ii. p. 183.



matter more odious to the people was that the tombs and other monuments of the dead were defaced, and the bones, being carried away, were buried in unconsecrated ground.<sup>17</sup>

All these imprudences were remarked by Somerset's enemies, who resolved to take advantage of them. Lord St. John, president of the council, the Earls of Warwick, Southampton, and Arundel, with five members more, met at Ely-house, and, assuming to themselves the whole power of the council, began to act independently of the protector, whom they represented as the author of every public grievance and misfortune. They wrote letters to the chief nobility and gentry in England, informing them of the present measures, and requiring their assistance; they sent for the mayor and aldermen of London, and enjoined them to obey their orders, without regard to any contrary orders which they might receive from the Duke of Somerset. They laid the same injunctions on the lieutenant of the Tower, who expressed his resolution to comply with them. Next day, Rich, lord chancellor, the Marquis of Northampton, the Earl of Shrewsbury, Sir Thomas Cheney, Sir John Gage, Sir Ralph Sadler, and Chief Justice Montague joined the malcontent counsellors; and every thing bore a bad aspect for the protector's authority. Secretary Petre, whom he had sent to treat with the council, rather chose to remain with them; the common council of the city, being applied to, declared with one voice their approbation of the new measures, and their resolution of supporting them.<sup>18</sup>

As soon as the protector heard of the defection of the counsellors, he removed the king from Hampton-court, where he then resided, to the castle of Windsor, and, arming his friends and servants, seemed resolute to defend himself against all his enemies. But finding that no man of rank except Cranmer and Paget adhered to him, that the people did not rise at his summons, that the city and Tower had declared against him, that even his best friends had deserted him, he lost all hopes of success, and began to apply to his enemies for pardon and forgiveness. No sooner was this despondency known than Lord Russel, Sir John Baker, speaker of the House of Commons, and three counsellors more, who had hitherto remained neuters, joined the party of Warwick, whom every one now regarded as master. The council informed the public by proclamation of their

<sup>17</sup> Heylin, pp. 72, 73. Stowe's Survey of London. Hayward, p. 303.

<sup>18</sup> Stowe, pp. 597, 598. Hollingshed, p. 1057.

actions and intentions; they wrote to the Princesses Mary and Elizabeth to the same purpose; and they made addresses to the king, in which, after the humblest protestations of duty and submission, they informed him that they were the council appointed by his father for the government of the kingdom during his minority; that they had chosen the Duke of Somerset protector, under the express condition that he should guide himself by their advice and direction; that he had usurped the whole authority, and had neglected, and even in everything opposed, their counsel; that he had proceeded to that height of presumption as to levy forces against them, and place these forces about his majesty's person: they therefore begged that they might be admitted to his royal presence; that he would be pleased to restore them to his confidence, and that Somerset's servants might be dismissed. Their request was complied with. Somerset capitulated only for gentle treatment, which was promised him. He was, however, sent to the Tower,<sup>19</sup> with some of his friends and partisans, among whom was Cecil, afterwards so much distinguished. Articles of indictment were exhibited against him,<sup>20</sup> of which the chief, at least the best founded, is his usurpation of the government, and his taking into his own hands the whole administration of affairs. The clause of his patent which invested him with absolute power, unlimited by any law, was never objected to him, plainly because, according to the sentiments of those times, that power was in some degree involved in the very idea of regal authority.

The Catholics were extremely elated with this revolution; and as they had ascribed all the late innovations to Somerset's authority, they hoped that his fall would prepare the way for the return of the ancient religion. But Warwick, who now bore chief sway in the council, was entirely indifferent with regard to all these points of controversy; and finding that the principles of the Reformation had sunk deeper into Edward's mind than to be easily eradicated, he was determined to comply with the young prince's inclinations, and not to hazard his new acquired power by any dangerous enterprise. He took care very early to express his intentions of supporting the Reformation; and he threw such discouragements on Southampton,

<sup>19</sup> Stowe, p. 600.

<sup>20</sup> Burnet, vol. ii. book 1, coll. 46. Hayward, p. 308. Stowe, p. 601. Hollingshed, p. 1059.

who stood at the head of the Romanists, and whom he considered as a dangerous rival, that that high-spirited nobleman retired from the council, and soon after died from vexation and disappointment. The other counsellors who had concurred in the revolution received their reward by promotions and new honors. Russel was created Earl of Bedford; the Marquis of Northampton obtained the office of great chamberlain; and Lord Wentworth, besides the office of chamberlain of the household, got two large manors, Stepney and Hackney, which were torn from the see of London.<sup>21</sup> A council of regency was formed, not that which Henry's will had appointed for the government of the kingdom, and which, being founded on an act of Parliament, was the only legal one; but composed chiefly of members who had formerly been appointed by Somerset, and who derived their seat from an authority which was now declared usurped and illegal. But such niceties were, during that age, little understood, and still less regarded, in England.

A session of Parliament was held; and as it was the usual maxim of that assembly to acquiesce in every administration which was established, the council dreaded no opposition from that quarter, and had more reason to look for a corroboration of their authority. Somerset had been prevailed on to confess, on his knees, before the council, all the articles of charge against him; and he imputed these misdemeanors to his own rashness, folly, and indiscretion, not to any malignity of intention.<sup>22</sup> He even subscribed this confession; and the paper was given in to Parliament, who, after sending a committee to examine him and hear him acknowledge it to be genuine, passed a vote by which they deprived him of all his offices and fined him two thousand pounds a year in land. Lord St. John was created treasurer in his place, and Warwick earl marshal. The prosecution against him was carried no farther. His fine was remitted by the king; he recovered his liberty; and Warwick, thinking that he was now sufficiently humbled, and that his authority was much lessened by his late tame and abject behavior, readmitted him into the council, and even agreed to an alliance between their families by the marriage of his own son, Lord Dudley, with the Lady Jane Seymour, daughter of Somerset.<sup>23</sup>

<sup>21</sup> Heylin, p. 85. Rymer, vol. xv. p. 226.

<sup>22</sup> Heylin, p. 84. Hay ward, p. 309. Stowe, p. 603.

<sup>23</sup> Hay ward, p. 309.

During this session a severe law was passed against riots.<sup>24</sup> It was enacted that if any, to the number of twelve persons, should meet together for any matter of state, and, being required by a lawful magistrate, should not disperse, it should be treason; and if any broke hedges, or violently pulled up pales about inclosures, without lawful authority, it should be felony; any attempt to kill a privy counsellor was subjected to the same penalty. The bishops had made an application, complaining that they were deprived of all their power by the encroachments of the civil courts and the present suspension of the canon law; that they could summon no offender before them, punish no vice, or exert the discipline of the church; from which diminution of their authority, they pretended, immorality had everywhere received great encouragement and increase. The design of some was to revive the penitentiary rules of the primitive church; but others thought that such an authority, committed to the bishops, would prove more oppressive than confession, penance, and all the clerical inventions of the Romish superstition. The Parliament, for the present, contented themselves with empowering the king to appoint thirty-two commissioners to compile a body of canon laws, which were to be valid, though never ratified by Parliament. Such implicit trust did they repose in the crown; without reflecting that all their liberties and properties might be affected by these canons.<sup>25</sup> The king did not live to affix the royal sanction to the new canons. Sir John Sharington, whose crimes and malversations had appeared so egregious at the condemnation of Lord Seymour, obtained from Parliament a reversal of his attainder.<sup>26</sup> This man sought favor with the more zealous reformers; and Bishop Latimer affirmed that though formerly he had been a most notorious knave, he was now so penitent that he had become a very honest man.

[1550.] When Warwick and the council of regency began to exercise their power, they found themselves involved in the same difficulties that had embarrassed the protector. The wars with France and Scotland could not be supported by an exhausted exchequer; seemed dangerous to a divided nation; and were now acknowledged not to have any object which even the greatest and most uninterrupted success could attain. The project of peace entertained by Somers-

<sup>24</sup> 3 and 4 Edward VI. cap. 5.

<sup>25</sup> 3 and 4 Edward VI. cap. 2.

<sup>26</sup> 3 and 4 Edward VI. cap. 13.



set had served them as a pretence for a clamor against his administration; yet, after sending Sir Thomas Cheney to the emperor, and making again a fruitless effort to engage him in the protection of Boulogne, they found themselves obliged to listen to the advances which Henry made them, by the canal of Guidotti, a Florentine merchant. The Earl of Bedford, Sir John Mason, Paget, and Petre were sent over to Boulogne, with full powers to negotiate. The French king absolutely refused to pay the two millions of crowns which his predecessor had acknowledged to be due to the crown of England as arrears of pensions, and said that he never would consent to render himself tributary to any prince; but he offered a sum for the immediate restitution of Boulogne; and four hundred thousand crowns were at last agreed on, one half to be paid immediately, the other in August following. Six hostages were given for the performance of this article. Scotland was comprehended in the treaty: the English stipulated to restore Lauder and Dunglass, and to demolish the fortresses of Roxborough and Eymouth.<sup>27</sup> No sooner was peace concluded with France than a project was entertained of a close alliance with that kingdom; and Henry willingly embraced a proposal so suitable both to his interests and his inclinations. An agreement, some time after, was formed for a marriage between Edward and Elizabeth, a daughter of France; and all the articles were, after a little negotiation, fully settled;<sup>28</sup> but this project never took effect.

The invention of marrying the king to a daughter of Henry, a violent persecutor of the Protestants, was nowise acceptable to that party in England; but in all other respects the council was steady in promoting the Reformation, and in enforcing the laws against the Romanists. Several prelates were still addicted to that communion; and though they made some compliances in order to save their bishoprics, they retarded, as much as they safely could, the execution of the new laws, and gave countenance to such incumbents as were negligent or refractory. A resolution was therefore taken to seek pretences for depriving those prelates; and the execution of this intention was the more easy as they had all of them been obliged to take commissions in which it was declared that they held their sees during the king's pleasure only. It was thought proper to begin with

<sup>27</sup> Burnet, vol. ii. p. 148. Hayward, pp. 310, 311, 312. Rymer, vol. xv. p. 211.

<sup>28</sup> Hayward, p. 318. Heylin, p. 104. Rymer, vol. xv. p. 293.

Gardiner, in order to strike a terror into the rest. The method of proceeding against him was violent, and had scarcely any color of law or justice. Injunctions had been given him to inculcate, in a sermon, the duty of obedience to a king even during his minority; and because he had neglected this topic he had been thrown into prison, and had been there detained during two years, without being accused of any crime except disobedience to this arbitrary command. The Duke of Somerset, Secretary Petre, and some others of the council were now sent in order to try his temper, and endeavored to find some grounds for depriving him; he professed to them his intention of conforming to the government, of supporting the king's laws, and of officiating by the new liturgy. This was not the disposition which they expected or desired.<sup>29</sup> A new deputation was therefore sent, who carried him several articles to subscribe. He was required to acknowledge his former misbehavior, and to confess the justice of his confinement; he was likewise to own that the king was supreme head of the church; that the power of making and dispensing with holidays was part of the prerogative; that the Book of Common Prayer was a godly and commendable form; that the king was a complete sovereign in his minority; that the law of the six articles was justly repealed; and that the king had full authority to correct and reform what was amiss in ecclesiastical discipline, government, or doctrine. The bishop was willing to set his hand to all the articles except the first: he maintained his conduct to have been inoffensive; and declared that he would not own himself guilty of faults which he had never committed.<sup>30</sup>

The council, finding that he had gone such lengths, were determined to prevent his full compliance by multiplying the difficulties upon him, and sending him new articles to subscribe. A list was selected of such points as they thought would be the hardest of digestion; and not content with this rigor, they also insisted on his submission, and his acknowledgment of past errors. To make this subscription more mortifying, they demanded a promise that he would recommend and publish all these articles from the pulpit. But Gardiner, who saw that they intended either to ruin or dishonor him, or perhaps both, determined not to gratify his enemies by any farther compliance; he still maintained

<sup>29</sup> Heylin, p. 99.

<sup>30</sup> Collier, vol. ii. p. 305, from the council books. Heylin, p. 99.

his innocence, desired a fair trial, and refused to subscribe more articles till he should recover his liberty. For this pretended offence his bishopric was put under sequestration for three months; and as he then appeared no more compliant than before, a commission was appointed to try, or, more properly speaking, to condemn him. The commissioners were the primate, the Bishops of London, Ely, and Lincoln, Secretary Petre, Sir James Hales, and some other lawyers. Gardiner objected to the legality of the commission, which was not founded on any statute or precedent; and he appealed from the commissioners to the king. [1551.] His appeal was not regarded; sentence was pronounced against him; he was deprived of his bishopric, and committed to close custody; his books and papers were seized; he was secluded from all company; and it was not allowed him either to send or receive any letters or messages.<sup>31</sup>

Gardiner, as well as the other prelates, had agreed to hold his office during the king's pleasure; but the council, unwilling to make use of a concession which had been so illegally and arbitrarily extorted, chose rather to employ some forms of justice—a resolution which led them to commit still greater iniquities and severities. But the violence of the reformers did not stop here. Day, Bishop of Chester, Heath of Worcester, and Voisey of Exeter were deprived of their bishoprics, on pretence of disobedience. Even Kitchen of Landaff, Capon of Salisbury, and Sampson of Coventry, though they had complied in every thing, yet not being supposed cordial in their obedience, were obliged to seek protection by sacrificing the most considerable revenues of their see to the rapacious courtiers.<sup>32</sup>

These plunderers neglected not even smaller profits. An order was issued by council for purging the library at Westminster of all missals, legends, and other superstitious volumes, and delivering their garniture to Sir Anthony Aucher.<sup>33</sup> Many of these books were plaited with gold and silver, and curiously embossed; and this finery was probably the superstition that condemned them. Great havoc was likewise made on the libraries at Oxford. Books and manuscripts were destroyed without distinction: the volumes of divinity suffered for their rich binding; those of literature was condemned as useless; those of geometry

<sup>31</sup> Fox, vol. ii. p. 734 et seq. Burnet. Heylin. Collier.

<sup>32</sup> Goodwin de Præsul. Angl. Heylin, p. 100.

<sup>33</sup> Collier, vol. ii. p. 307, from the council books.

and astronomy were supposed to contain nothing but necromancy.<sup>34</sup> The university had not power to oppose these barbarous violences: they were in danger of losing their own revenues, and expected every moment to be swallowed up by the Earl of Warwick and his associates.

Though every one besides yielded to the authority of the council, the Lady Mary could never be brought to compliance; and she still continued to adhere to the mass, and to reject the new liturgy. Her behavior was, during some time, connived at; but at last her two chaplains, Mallet and Berkeley, were thrown into prison;<sup>35</sup> and remonstrances were made to the princess herself on account of her disobedience. The council wrote her a letter, by which they endeavored to make her change her sentiments, and to persuade her that her religious faith was very ill-grounded. They asked her what warrant there was in Scripture for prayers in an unknown tongue, the use of images, or offering up the sacrament for the dead; and they desired her to peruse St. Austin and the other ancient doctors, who would convince her of the errors of the Romish superstition, and prove that it was founded merely on false miracles and lying stories.<sup>36</sup> The Lady Mary remained obstinate against all this advice, and declared herself willing to endure death rather than relinquish her religion; she only feared, she said, that she was not worthy to suffer martyrdom in so holy a cause; and as for Protestant books, she thanked God that as she never had, so she hoped never to read any of them. Dreading farther violence, she endeavored to make an escape to her kinsman, Charles; but her design was discovered and prevented.<sup>37</sup> The emperor remonstrated in her behalf, and even threatened hostilities if liberty of conscience were refused her; but though the council, sensible that the kingdom was in no condition to support with honor such a war, was desirous to comply, they found great difficulty to overcome the scruples of the young king. He had been educated in such a violent abhorrence of the mass and other popish rites, which he regarded as impious and idolatrous, that he should partake, he thought, in the sin if he allowed its commission; and when, at last, the importunity of Cranmer, Ridley, and Poinet prevailed somewhat over his opposition, he burst

<sup>34</sup> Wood, *Hist. and Antiq. Oxon. lib. 1*, pp. 271, 272.

<sup>35</sup> Strype, vol. ii. p. 249.

<sup>36</sup> Fox, vol. ii. Collier. Burnet.

<sup>37</sup> Hayward, p. 315.



into tears, lamenting his sister's obstinacy, and bewailing his own hard fate that he must suffer her to continue in such an abominable mode of worship.

The great object, at this time, of antipathy among the Protestant sects was popery, or, more properly speaking, the Papists. These they regarded as the common enemy, who threatened every moment to overwhelm the evangelical faith, and destroy its partisans by fire and sword; they had not as yet had leisure to attend to the other minute differences among themselves, which afterwards became the object of such furious quarrels and animosities, and threw the whole kingdom into combustion. Several Lutheran divines who had reputation in those days, Bucer, Peter Martyr, and others, were induced to take shelter in England from the persecutions which the emperor exercised in Germany; and they received protection and encouragement. John Alasco, a Polish nobleman, being expelled his country by the rigors of the Catholics, settled, during some time, at Emden, in East Friesland, where he became preacher to a congregation of the reformed. Foreseeing the persecutions which ensued, he removed to England, and brought his congregation along with him. The council, who regarded them as industrious, useful people, and desired to invite over others of the same character, not only gave them the church of Augustine friars for the exercise of their religion, but granted them a charter, by which they were erected into a corporation consisting of a superintendent and four assisting ministers. This ecclesiastical establishment was quite independent of the church of England, and differed from it in some rites and ceremonies.<sup>38</sup>

These differences among the Protestants were matter of triumph to the Catholics, who insisted that the moment men departed from the authority of the church, they lost all criterion of truth and falsehood in matters of religion, and must be carried away by every wind of doctrine. The continual variations of every sect of Protestants afforded them the same topic of reasoning. The Book of Common Prayer suffered in England a new revisal, and some rites and ceremonies which had given offence were omitted.<sup>39</sup> The speculative doctrines, or the metaphysics of religion, were also reduced to forty-two articles. These were intended to obviate farther divisions and variations; and the compiling of them had been postponed till the establish-

<sup>38</sup> Mem. Cranm. p. 234.

<sup>39</sup> Mem. Cranm. p. 289.

ment of the liturgy, which was justly regarded as a more material object to the people. The eternity of hell torments is asserted in this confession of faith; and care is also taken to inculcate not only that no heathen, how virtuous soever, can escape an endless state of the most exquisite misery, but also that every one who presumes to maintain that any pagan can possibly be saved is himself exposed to the penalty of eternal perdition.<sup>40</sup>

The theological zeal of the council, though seemingly fervent, went not so far as to make them neglect their own temporal concerns, which seems to have ever been uppermost in their thoughts; they even found leisure to attend to the public interest; nay, to the commerce of the nation, which was at that time very little the object of general study or attention. The trade of England had anciently been carried on altogether by foreigners, chiefly the inhabitants of the Hanse towns, or Easterlings, as they were called; and, in order to encourage these merchants to settle in England, they had been erected into a corporation by Henry III., had obtained a patent, were endowed with privileges, and were exempted from several heavy duties paid by other aliens. So ignorant were the English of commerce that this company, usually denominated the merchants of the Stil-yard, engrossed, even down to the reign of Edward, almost the whole foreign trade of the kingdom; and as they naturally employed the shipping of their own country, the navigation of England was also in a very languishing condition. It was therefore thought proper by the council to seek pretences for annulling the privileges of this corporation—privileges which put them nearly on an equal footing with Englishmen in the duties which they paid; and as such patents were, during that age, granted by the absolute power of the king, men were the less surprised to find them revoked by the same authority. Several remonstrances were made against this innovation by Lubec, Hamburgh, and other Hanse towns; but the council persevered in their resolution, and the good effects of it soon became visible to the nation. The English merchants, by their very situation as natives, had advantages above foreigners in the purchase of cloth, wool, and other commodities, though these advantages had not hitherto been sufficient to rouse their industry or engage them to become rivals to this opulent company; but when aliens' duty was

<sup>40</sup> Article xviii.

also imposed upon all foreigners indiscriminately, the English were tempted to enter into commerce, and a spirit of industry began to appear in the kingdom.<sup>41</sup>

About the same time a treaty was made with Gustavus Ericson, King of Sweden, by which it was stipulated that, if he sent bullion into England, he might export English commodities without paying custom; that he should carry bullion to no other prince; that if he sent ozimus, steel, copper, etc., he should pay custom for English commodities as an Englishman; and that if he sent other merchandise, he should have free intercourse, paying custom as a stranger.<sup>42</sup> The bullion sent over by Sweden, though it could not be in great quantity, set the mint at work; good specie was coined, and much of the base metal formerly issued was recalled—a circumstance which tended extremely to the encouragement of commerce.

But all these schemes for promoting industry were likely to prove abortive, by the fear of domestic convulsions arising from the ambition of Warwick. That nobleman, not contented with the station which he had attained, carried farther his pretensions, and had gained partisans who were disposed to second him in every enterprise. The last Earl of Northumberland died without issue; and as Sir Thomas Percy, his brother, had been attainted on account of the share which he had in the Yorkshire insurrection during the late reign, the title was at present extinct, and the estate was vested in the crown. Warwick now procured to himself a grant of those ample possessions, which lay chiefly in the north, the most warlike part of the kingdom; and he was dignified with the title of Duke of Northumberland. His friend Paulet Lord St. John, the treasurer, was created, first, Earl of Wiltshire, then Marquis of Winchester; Sir William Herbert obtained the title of Earl of Pembroke.

But the ambition of Northumberland made him regard all increase of possessions and titles, either to himself or his partisans, as steps only to further acquisitions. Finding that Somerset, though degraded from his dignity, and even lessened in the public opinion by his spiritless conduct, still enjoyed a considerable share of popularity, he determined to ruin the man whom he regarded as the chief obstacle to the attainment of his hopes. The alliance which had been

<sup>41</sup> Hayward, p. 326. Heylin, p. 108. Strype's Mem. vol. ii. p. 295.

<sup>42</sup> Heylin, p. 109.

contracted between the families had produced no cordial union, and only enabled Northumberland to compass with more certainty the destruction of his rival. He secretly gained many of the friends and servants of that unhappy nobleman; he sometimes terrified him by the appearance of danger, sometimes provoked him by ill-usage. The unguarded Somerset often broke out into menacing expressions against Northumberland; at other times he formed rash projects, which he immediately abandoned; his treacherous confidants carried to his enemy every passionate word which dropped from him; they revealed the schemes which they themselves had first suggested;<sup>43</sup> and Northumberland, thinking that the proper season was now come, began to act in an open manner against him.

In one night the Duke of Somerset, Lord Grey, David and John Seymour, Hammond and Neudigate, two of the duke's servants, Sir Ralph Vane, and Sir Thomas Palmer were arrested and committed to custody. Next day the Duchess of Somerset, with her favorites, Crane and his wife, Sir Miles Partridge, Sir Michael Stanhope, Bannister, and others, were thrown into prison. Sir Thomas Palmer, who had all along acted as a spy upon Somerset, accused him of having formed a design to raise an insurrection in the north, to attack the *gens d'armes* on a muster-day, to secure the Tower, and to raise a rebellion in London; but, what was the only probable accusation, he asserted that Somerset had once laid a project for murdering Northumberland, Northampton, and Pembroke at a banquet which was to be given them by Lord Paget. Crane and his wife confirmed Palmer's testimony with regard to this last design; and it appears that some rash scheme of that nature had really been mentioned, though no regular conspiracy had been formed, or means prepared for its execution. Hammond confessed that the duke had armed men to guard him one night in his house at Greenwich.

Somerset was brought to his trial before the Marquis of Winchester, created high steward. Twenty-seven peers composed the jury, among whom were Northumberland, Pembroke, and Northampton, whom decency should have hindered from acting as judges in the trial of a man that appeared to be their capital enemy. Somerset was accused of high treason on account of the projected insurrections,

<sup>43</sup> Heylin, p. 112.



and of felony in laying a design to murder privy counsellors.

We have a very imperfect account of all state trials during that age, which is a sensible defect in our history; but it appears that some more regularity was observed in the management of this prosecution than had usually been employed in like cases. The witnesses were at least examined by the privy council; and though they were neither produced in court nor confronted with the prisoner (circumstances required by the strict principles of equity), their depositions were given into the jury. The proof seems to have been lame with regard to the treasonable part of the charge, and Somerset's defence was so satisfactory that the peers gave verdict in his favor; the intention alone of assaulting the privy counsellors was supported by tolerable evidence, and the jury brought him in guilty of felony. The prisoner himself confessed that he had expressed his intention of murdering Northumberland and the other lords, but had not formed any resolution on that head; and when he received sentence, he asked pardon of those peers for the designs which he had hearkened to against them. The people, by whom Somerset was beloved, hearing the first part of his sentence, by which he was acquitted from treason, expressed their joy by loud acclamations; but their satisfaction was suddenly damped on finding that he was condemned to death for felony.<sup>44</sup>

[1522.] Care had been taken by Northumberland's emissaries to prepossess the young king against his uncle; and lest he should relent, no access was given to any of Somerset's friends, and the prince was kept from reflection by a continued series of occupations and amusements. At last the prisoner was brought to the scaffold on Tower-hill, amidst great crowds of spectators, who bore him such sincere kindness that they entertained, to the last moment, the fond hopes of his pardon.<sup>45</sup> Many of them rushed in to dip their handkerchiefs in his blood, which they long preserved as a precious relic; and some of them soon after, when Northumberland met with a like doom, upbraided him with his cruelty, and displayed to him these symbols of his crime. Somerset, indeed, though many actions of his life were exceptionable, seems in general to have merited a better fate; and the faults which he committed were owing to weakness,

<sup>44</sup> Hayward, pp. 320, 321, 222. Stowe, p. 606. Hollingshed, p. 1067.

<sup>45</sup> Hayward, pp. 324, 325.

not to any bad intention. His virtues were better calculated for private than for public life; and, by his want of penetration and firmness, he was ill fitted to extricate himself from those cabals and violences to which that age was so much addicted. Sir Thomas Arundel, Sir Michael Stanhope, Sir Miles Partridge, and Sir Ralph Vane, all of them Somerset's friends, were brought to their trial, condemned, and executed; great injustice seems to have been used in their prosecution. Lord Paget, chancellor of the duchy, was on some pretence tried in the star-chamber, and condemned in a fine of six thousand pounds, with the loss of his office. To mortify him the more, he was degraded from the order of the garter, as unworthy, on account of his mean birth, to share that honor.<sup>46</sup> Lord Rich, chancellor, was also compelled to resign his office, on the discovery of some marks of friendship which he had shown to Somerset.

The day after the execution of Somerset, a session of Parliament was held, in which farther advances were made towards the establishment of the Reformation. The new liturgy was authorized; and penalties were enacted against all those who absented themselves from public worship.<sup>47</sup> To use the mass had already been prohibited under severe penalties; so that the reformers, it appears, whatever scope they had given to their own private judgment, in disputing the tenets of the ancient religion, were resolved not to allow the same privilege to others; and the practice, nay the very doctrine, of toleration, was at that time equally unknown to all sects and parties. To dissent from the religion of the magistrate was universally conceived to be as criminal as to question his title or rebel against his authority.

A law was enacted against usury; that is, against taking any interest for money.<sup>48</sup> This act was the remains of ancient superstition; but being found extremely iniquitous in itself, as well as prejudicial to commerce, it was afterwards repealed in the twelfth of Elizabeth. The common rate of interest, notwithstanding the law, was at this time fourteen per cent.<sup>49</sup>

A bill was introduced by the ministry into the House of Lords renewing those rigorous statutes of treason which had been abrogated in the beginning of this reign; and though the Peers, by their high station, stood most exposed to these tempests of state, yet had they so little regard to

<sup>46</sup> Stowe, p. 608.

<sup>48</sup> 5 and 6 Edward VI. cap. 20.

<sup>47</sup> 5 and 6 Edward VI. cap. 1.

<sup>49</sup> Hayward, p. 318.

public security, or even to their own true interest, that they passed the bill with only one dissenting voice.<sup>50</sup> But the Commons rejected it and prepared a new bill, that passed into a law, by which it was enacted that whoever should call the king or any of his heirs, named in the statute of the thirty-fifth of the last reign, heretic, schismatic, tyrant, infidel, or usurper of the crown, should forfeit, for the first offence, their goods and chattels, and be imprisoned during pleasure; for the second, should incur a *præmunire*; for the third, should be attainted for treason. But if any should unadvisedly utter such a slander in writing, printing, painting, carving, or graving, he was for the first offence to be held a traitor.<sup>51</sup> It may be worthy of notice that the king and his next heir, the Lady Mary, were professedly of different religions, and religions which threw on each other the imputation of heresy, schism, idolatry, profaneness, blasphemy, wickedness, and all the opprobrious epithets that religious zeal has invented. It was almost impossible, therefore, for the people, if they spoke at all on these subjects, not to fall into the crime so severely punished by the statute; and the jealousy of the Commons for liberty, though it led them to reject the bill of treasons sent to them by the Lords, appears not to have been very active, vigilant, or clearsighted.

The Commons annexed to this bill a clause which was of more importance than the bill itself, that no one should be convicted of any kind of treason unless the crime were proved by the oaths of two witnesses confronted with the prisoner. The Lords for some time scrupled to pass this clause, though conformable to the most obvious principles of equity. But the members of that House trusted for protection to their present personal interest and power, and neglected the noblest and most permanent security, that of laws.

The House of Peers passed a bill whose object was making a provision for the poor; but the Commons, not choosing that a money-bill should begin in the Upper House, framed a new act to the same purpose. By this act the churchwardens were empowered to collect charitable contributions; and if any refused to give or dissuaded others from that charity, the bishop of the diocese was empowered to proceed against them. Such large discretionary powers intrusted to the prelates seem as proper an object of jealousy as the authority assumed by the Peers.<sup>52</sup>

<sup>50</sup> Parl. Hist. vol. iii. p. 258. Burnet, vol. ii. p. 190.

<sup>51</sup> 5 and 6 Edward VI. cap. 2.

<sup>52</sup> 5 and 6 Edward VI. cap. 2.

There was another occasion in which the Parliament reposed an unusual confidence in the bishops. They empowered them to proceed against such as neglected the Sundays and holidays.<sup>53</sup> But these were unguarded concessions granted to the church: the general humor of the age rather led men to bereave the ecclesiastics of all power, and even to pillage them of their property; many clergymen, about this time, were obliged for a subsistence to turn carpenters or tailors, and some kept ale-houses.<sup>54</sup> The bishops themselves were generally reduced to poverty, and held both their revenues and spiritual office by a very precarious and uncertain tenure.

Tonstal, Bishop of Durham, was one of the most eminent prelates of the age, still less for the dignity of his see than for his own personal merit, his learning, moderation, humanity, and beneficence. He had opposed, by his vote and authority, all innovations in religion; but as soon as they were enacted, he had always submitted, and had conformed to every theological system which had been established. His known probity had made this compliance be ascribed not to an interested or time-serving spirit, but to a sense of duty, which led him to think that all private opinion ought to be sacrificed to the great concern of public peace and tranquillity. The general regard paid to his character had protected him from any severe treatment during the administration of Somerset; but when Northumberland gained the ascendant, he was thrown into prison; and as that rapacious nobleman had formed a design of seizing the revenues of the see of Durham, and of acquiring to himself a principality in the northern counties, he was resolved, in order to effect his purpose, to deprive Tonstal of his bishopric. A bill of attainder, therefore, on pretence of misprision of treason, was introduced into the House of Peers against the prelate; and it passed with the opposition only of Lord Stourton, a zealous Catholic, and of Cranmer, who always bore a cordial and sincere friendship to the Bishop of Durham. But when the bill was sent down to the Commons, they required that witnesses should be examined, that Tonstal should be allowed to defend himself, and that he should be confronted with his accusers; and when these demands were refused, they rejected the bill.

This equity, so unusual in the Parliament during that age, was ascribed by Northumberland and his partisans not

<sup>53</sup> 5 and 6 Edward VI. cap. 3.

<sup>54</sup> Burnet, vol. ii. p. 202.



to any regard for liberty and justice, but to the prevalence of Somerset's faction in a House of Commons which, being chosen during the administration of that nobleman, had been almost entirely filled with his creatures. They were confirmed in this opinion when they found that a bill ratifying the attainder of Somerset and his accomplices was also rejected by the Commons, though it had passed the Upper House. A resolution was therefore taken to dissolve the Parliament, which had sitten during this whole reign, and soon after to summon a new one.

Northumberland, in order to insure to himself a House of Commons entirely obsequious to his will, ventured on an expedient which could not have been practised, or even imagined, in an age where there was any idea or comprehension of liberty. He engaged the king to write circular letters to all the sheriffs, in which he enjoined them to inform the freeholders that they were required to choose men of knowledge and experience for their representatives. After this general exhortation, the king continued in these words: "And yet, nevertheless, our pleasure is, that where our privy council, or any of them, shall, on our behalf, recommend, within their jurisdiction, men of learning and wisdom, in such cases their directions shall be regarded and followed, as tending to the same end which we desire; that is, to have this assembly composed of the persons in our realm the best fitted to give advice and good counsel."<sup>55</sup> Several letters were sent from the king recommending members to particular counties: Sir Richard Cotton to Hampshire, Sir William Fitzwilliams and Sir Henry Nevil to Berkshire, Sir William Drury and Sir Henry Benningfield to Suffolk, etc. But though some counties only received this species of *congé d'élire* from the king, the recommendations from the privy council and the counsellors, we may fairly presume, would extend to the greater part, if not to the whole, of the kingdom.

It is remarkable that this attempt was made during the reign of a minor king, when the royal authority is usually weakest; that it was patiently submitted to; and that it gave so little umbrage as scarcely to be taken notice of by any historian. The painful and laborious collector above cited, who never omits the most trivial matter, is the only person that has thought this memorable letter worthy of being transmitted to posterity.

<sup>55</sup> Strype's Ecclesiastical Memorials, vol. ii. p. 394.

The Parliament answered Northumberland's expectations. As Tonstal had in the interval been deprived of his bishopric in an arbitrary manner by the sentence of lay commissioners appointed to try him, the see of Durham was by an act of Parliament divided into two bishoprics, which had certain portions of the revenue assigned them. The regalities of the see, which included the jurisdiction of a count palatine, were given by the king to Northumberland; nor is it to be doubted but that nobleman had also purposed to make rich plunder of the revenue, as was then usual with the courtiers whenever a bishopric became vacant.

The Commons gave the ministry another mark of attachment, which was at that time the most sincere of any, the most cordial, and the most difficult to be obtained: they granted a supply of two subsidies and two fifteenths. To render this present the more acceptable, they voted a preamble containing a long accusation of Somerset "for involving the king in wars, wasting his treasure, engaging him in much debt, embasing the coin, and giving occasion for a most terrible rebellion."<sup>56</sup>

The debts of the crown were at this time considerable. The king had received from France four hundred thousand crowns on delivering Boulogne; he had reaped profit from the sale of some chantry lands; the churches had been spoiled of all their plate and rich ornaments, which, by a decree of council, without any pretence of law or equity, had been converted to the king's use;<sup>57</sup> yet such had been the rapacity of the courtiers, that the crown owed about three hundred thousand pounds;<sup>58</sup> and great dilapidations were at the same time made of the royal demesnes. The young prince showed, among other virtues, a disposition to frugality, which, had he lived, would soon have retrieved these losses; but as his health was declining very fast, the present emptiness of the exchequer was a sensible obstacle to the execution of those projects which the ambition of Northumberland had founded on the prospect of Edward's approaching end.

That nobleman represented to the prince, whom youth and an infirm state of health made susceptible of any impression, that his two sisters, Mary and Elizabeth, had both of them been declared illegitimate by act of Parliament, and, though Henry by his will had restored them to a place

<sup>56</sup> 7 Edward VI. cap. 12.

<sup>58</sup> Strype's Ecclesiastical Memorials, vol. ii. p. 344.

<sup>57</sup> Heylin, p. 95, 132.

in the succession, the nation would never submit to see the throne of England filled by a bastard; that they were the king's sisters by the half blood only, and, even if they were legitimate, could not enjoy the crown as his heirs and successors; that the Queen of Scots stood excluded by the late king's will, and, being an alien, had lost by law all right of inheriting, not to mention that, as she was betrothed to the dauphin, she would by her succession render England, as she had already done Scotland, a province to France; that the certain consequence of his sister Mary's succession, or that of the Queen of Scots, was the abolition of the Protestant religion, and the repeal of the laws enacted in favor of the Reformation, and the re-establishment of the usurpation and idolatry of the church of Rome; that, fortunately for England, the same order of succession which justice required was also the most conformable to public interest, and there was not on any side any just ground for doubt or deliberation; that when these three princesses were excluded by such solid reasons, the succession devolved on the Marchioness of Dorset, elder daughter of the French queen and the Duke of Suffolk; that the next heir of the marchioness was the Lady Jane Gray, a lady of the most amiable character, accomplished by the best education both in literature and religion, and every way worthy of a crown; and that even if her title by blood were doubtful, which there was no just reason to pretend, the king was possessed of the same power that his father enjoyed, and might leave her the crown by letters-patent. These reasonings made impression on the young prince; and, above all, his zealous attachment to the Protestant religion made him apprehend the consequences if so bigoted a Catholic as his sister Mary should succeed to the throne. And though he bore a tender affection to the Lady Elizabeth, who was liable to no such objection, means were found to persuade him that he could not exclude the one sister on account of illegitimacy without giving also an exclusion to the other.

Northumberland, finding that his arguments were likely to operate on the king, began to prepare the other parts of his scheme. Two sons of the Duke of Suffolk by a second venter having died this season of the sweating sickness, that title was extinct; and Northumberland engaged the king to bestow it on the Marquis of Dorset. By means of this favor, and of others which he conferred upon him, he persuaded the new Duke of Suffolk and the duchess to give their

daughter, the Lady Jane, in marriage to his fourth son, the Lord Guilford Dudley. In order to fortify himself by farther alliances, he negotiated a marriage between the Lady Catherine Gray, second daughter of Suffolk, and Lord Herbert, eldest son of the Earl of Pembroke. He also married his own daughter to Lord Hastings, eldest son of the Earl of Huntingdon.<sup>59</sup> These marriages were solemnized with great pomp and festivity; and the people, who hated Northumberland, could not forbear expressing their indignation at seeing such public demonstrations of joy during the languishing state of the young prince's health.

Edward had been seized, in the foregoing year, first with the measles, then with the small-pox; but having perfectly recovered from both these distempers, the nation entertained hopes that they would only serve to confirm his health; and he had afterwards made a progress through some parts of the kingdom. It was suspected that he had there overheated himself in exercise: he was seized with a cough, which proved obstinate and gave way neither to regimen nor medicines; several fatal symptoms of a consumption appeared; and though it was hoped that, as the season advanced, his youth and temperance might get the better of the malady, men saw with great concern his bloom and vigor insensibly decay. The general attachment to the young prince, joined to the hatred borne the Dudleys, made it be remarked that Edward had every moment declined in health from the time that Lord Robert Dudley had been put about him in quality of gentleman of the bedchamber.

The languishing state of Edward's health made Northumberland the more intent on the execution of his project. He removed all except his own emissaries from about the king; he himself attended him with the greatest assiduity; he pretended the most anxious concern for his health and welfare; and by all these artifices he prevailed on the young prince to give his final consent to the settlement projected. Sir Edward Montague, chief justice of the common pleas, Sir John Baker and Sir Thomas Bromley, two judges, with the attorney and solicitor-general, were summoned to the council, where, after the minutes of the intended deed were read to them, the king required them to draw them up in the form of letters-patent. They hesitated to obey, and desired time to consider of it. The more they reflected, the greater danger they found in compliance. The settlement

<sup>59</sup> Heylin, p. 199. Stowe, p. 609.



of the crown by Henry VIII. had been made in consequence of an act of Parliament; and by another act, passed in the beginning of this reign, it was declared treason in any of the heirs, their aiders or abettors, to attempt on the right of another or change the order of succession. The judges pleaded these reasons before the council. They urged that such a patent as was intended would be entirely invalid; that it would subject not only the judges who drew it, but every counsellor who signed it, to the pains of treason; and that the only proper expedient, both for giving sanction to the new settlement and freeing its partisans from danger, was to summon a Parliament, and to obtain the consent of that assembly. The king said that he intended afterwards to follow that method, and would call a Parliament, in which he purposed to have his settlement ratified; but, in the mean time, he required the judges, on their allegiance, to draw the patent in the form required. The council told the judges that their refusal would subject all of them to the pains of treason. Northumberland gave to Montague the appellation of traitor, and said that he would, in his shirt, fight any man in so just a cause as that of Lady Jane's succession. The judges were reduced to great difficulties between the dangers from the law and those which arose from the violence of present power and authority.<sup>60</sup>

The arguments were canvassed in several different meetings between the council and the judges, and no solution could be found of the difficulties. At last Montague proposed an expedient which satisfied both his brethren and the counsellors. He desired that a special commission should be passed by the king and council requiring the judges to draw a patent for the new settlement of the crown, and that a pardon should immediately after be granted them for any offence which they might have incurred by their compliance. When the patent was drawn and brought to the Bishop of Ely, chancellor, in order to have the great seal affixed to it, this prelate required that all the judges should previously sign it. Gosnald at first refused; and it was with much difficulty that he was prevailed on, by the violent menaces of Northumberland, to comply; but the constancy of Sir James Hales, who, though a zealous Protestant, preferred justice, on this occasion, to the prejudices of his party, could not be shaken by any expedient. The chancellor next required, for his greater security, that all

<sup>60</sup> Fuller, book 8, p. 2.

the privy counsellors should set their hands to the patent; the intrigues of Northumberland, or the fears of his violence, were so prevalent that the counsellors complied with this demand. Cranmer alone hesitated during some time, but at last yielded to the earnest and pathetic entreaties of the king.<sup>61</sup> Cecil, at that time secretary of state, pretended afterwards that he only signed as witness to the king's subscription. And thus, by the king's letters-patent, the two princesses, Mary and Elizabeth, were set aside, and the crown was settled on the heirs of the Duchess of Suffolk; for the duchess herself was content to give place to her daughters.

After this settlement was made, with so many inauspicious circumstances, Edward visibly declined every day, and small hopes were entertained of his recovery. To make matters worse, his physicians were dismissed, by Northumberland's advice and by an order of council; and he was put into the hands of an ignorant woman, who undertook in a little time to restore him to his former state of health. After the use of her medicines, all the bad symptoms increased to the most violent degree; he felt a difficulty of speech and breathing; his pulse failed, his legs swelled, his color became livid, and many other symptoms appeared of his approaching end. He expired at Greenwich, in the sixteenth year of his age and the seventh of his reign. All the English historians dwell with pleasure on the excellent qualities of this young prince, whom the flattering promises of hope, joined to many real virtues, had made an object of tender affection to the public. He possessed mildness of disposition, application to study and business, a capacity to learn and judge, and an attachment to equity and justice. He seems only to have contracted, from his education, and from the genius of the age in which he lived, too much of a narrow prepossession in matters of religion, which made him incline somewhat to bigotry and persecution; but as the bigotry of Protestants, less governed by priests, lies under more restraints than that of Catholics, the effects of this malignant quality were the less to be apprehended if a longer life had been granted to young Edward.

<sup>61</sup> Cranm. Mem. p. 295.

## CHAPTER XXXVI.

## MARY.

LADY JANE GRAY PROCLAIMED QUEEN.—DESERTED BY THE PEOPLE.—THE QUEEN PROCLAIMED AND ACKNOWLEDGED.—NORTHUMBERLAND EXECUTED.—CATHOLIC RELIGION RESTORED.—A PARLIAMENT.—DELIBERATIONS WITH REGARD TO THE QUEEN'S MARRIAGE.—QUEEN'S MARRIAGE WITH PHILIP.—WYAT'S INSURRECTION SUPPRESSED.—EXECUTION OF LADY JANE GRAY.—A PARLIAMENT.—PHILIP'S ARRIVAL IN ENGLAND.

THE title of the Princess Mary, after the demise of her brother, was not exposed to any considerable difficulty; and the objections started by the Lady Jane's partisans were new and unheard of by the nation. Though all the Protestants, and even many of the Catholics, believed the marriage of Henry VIII. with Catherine of Arragon to be unlawful and invalid, yet, as it had been contracted by the parties without any criminal intention, had been avowed by their parents, recognized by the nation, and seemingly founded on those principles of law and religion which then prevailed, few imagined that their issue ought on that account to be regarded as illegitimate. A declaration to that purpose had indeed been extorted from Parliament by the usual violence and caprice of Henry; but as that monarch had afterwards been induced to restore his daughter to the right of succession, her title was now become as legal and parliamentary as it was ever esteemed just and natural. The public had long been familiarized to these sentiments: during all the reign of Edward the princess was regarded as his lawful successor; and though the Protestants dreaded the effects of her prejudices, the extreme hatred universally entertained against the Dudleys,<sup>1</sup> who, men foresaw, would, under the name of Jane, be the real sovereigns, was more than sufficient to counterbalance, even with that party, the attachment to religion. This last attempt to violate the or-

<sup>1</sup> Sleidan, lib. 25.

der of succession had displayed Northumberland's ambition and injustice in a full light; and when the people reflected on the long train of fraud, iniquity, and cruelty by which that project had been conducted; that the lives of the two Seymours, as well as the title of the princesses, had been sacrificed to it, they were moved by indignation to exert themselves in opposition to such criminal enterprises. The general veneration also paid to the memory of Henry VIII. prompted the nation to defend the rights of his posterity; and the miseries of the ancient civil wars were not so entirely forgotten that men were willing, by a departure from the lawful heir, to incur the danger of like bloodshed and confusion.

Northumberland, sensible of the opposition which he must expect, had carefully concealed the destination made by the king; and in order to bring the two princesses into his power, he had had the precaution to engage the council, before Edward's death, to write to them, in that prince's name, desiring their attendance, on pretence that his infirm state of health required the assistance of their counsel and the consolation of their company.<sup>2</sup> Edward expired before their arrival; but Northumberland, in order to make the princesses fall into the snare, kept the king's death still secret; and the Lady Mary had already reached Hoddesden, within half a day's journey of the court. Happily, the Earl of Arundel sent her private intelligence both of her brother's death and of the conspiracy formed against her;<sup>3</sup> she immediately made haste to retire; and she arrived, by quick journeys, first at Kenninghall, in Norfolk, then at Framlingham, in Suffolk, where she purposed to embark and escape to Flanders in case she should find it impossible to defend her right of succession. She wrote letters to the nobility and most considerable gentry in every county in England, commanding them to assist her in the defence of her crown and person; and she despatched a message to the council by which she notified to them that her brother's death was no longer a secret to her, promised them pardon for past offences, and required them immediately to give orders for proclaiming her in London.<sup>4</sup>

Northumberland found that farther dissimulation was fruitless; he went to Sion-house,<sup>5</sup> accompanied by the Duke of Suffolk, the Earl of Pembroke, and others of the nobil-

<sup>2</sup> Heylin, p. 154.

<sup>4</sup> Fox, vol. iii. p. 14.

<sup>3</sup> Burnet, vol. ii. p. 233.

<sup>5</sup> Thuanus, lib. 13, c. 10.



ity; and he approached the Lady Jane, who resided there, with all the respect usually paid to the sovereign. Jane was, in a great measure, ignorant of these transactions; and it was with equal grief and surprise that she received intelligence of them.<sup>6</sup> She was a lady of an amiable person, an engaging disposition, and accomplished parts; and being of an equal age with the late king, she had received all her education with him, and seemed even to possess greater facility in acquiring every part of manly and polite literature. She had attained a familiar knowledge of the Roman and Greek languages, besides modern tongues; had passed most of her time in an application to learning; and expressed a great indifference for other occupations and amusements usual with her sex and station. Roger Ascham, tutor to the Lady Elizabeth, having one day paid her a visit, found her employed in reading Plato, while the rest of the family were engaged in a party of hunting in the park; and on his admiring the singularity of her choice, she told him that she received more pleasure from that author than the others could reap from all their sport and gaiety.<sup>7</sup> Her heart, full of this passion for literature and the elegant arts, and of tenderness towards her husband, who was deserving of her affections, had never opened itself to the flattering allurements of ambition; and the intelligence of her elevation to the throne was nowise agreeable to her. She even refused to accept of the present; pleaded the preferable title of the two princesses; expressed her dread of the consequences attending an enterprise so dangerous, not to say so criminal; and desired to remain in the private station in which she was born. Overcome at last by the entreaties rather than the reasons of her father and father-in-law, and, above all, of her husband, she submitted to their will, and was prevailed upon to relinquish her own judgment. It was then usual for the kings of England, after their accession, to pass the first days in the Tower; and Northumberland immediately conveyed thither the new sovereign. All the counsellors were obliged to attend her to that fortress, and by this means became, in reality, prisoners in the hands of Northumberland, whose will they were necessitated to obey. Orders were given to the council to proclaim Jane throughout the kingdom; but these orders were executed only in London and the neighborhood. No ap-

<sup>6</sup> Godwin in Kennet, p. 329. Heylin, p. 149. Burnet, vol. ii. p. 234.

<sup>7</sup> Ascham's Works, pp. 222, 223.

plause ensued: the people heard the proclamation with silence and concern; some even expressed their scorn and contempt; and one Pot, a vintner's apprentice, was severely punished for this offence. The Protestant teachers themselves, who were employed to convince the people of Jane's title, found their eloquence fruitless; and Ridley, Bishop of London, who preached a sermon to that purpose, wrought no effect upon his audience.

The people of Suffolk, meanwhile, paid their attendance on Mary. As they were much attached to the reformed communion, they could not forbear, amidst their tenders of duty, expressing apprehensions for their religion; but when she assured them that she never meant to change the laws of England, they enlisted themselves in her cause with zeal and affection. The nobility and gentry daily flocked to her, and brought her reinforcement. The Earls of Bath and Sussex, the eldest sons of Lord Wharton and Lord Mordaunt, Sir William Drury, Sir Henry Benningfield, Sir Henry Jernegan, persons whose interest lay in the neighborhood, appeared at the head of their tenants and retainers.<sup>8</sup> Sir Edward Hastings, brother to the Earl of Huntingdon, having received a commission from the council to make levies for the Lady Jane in Buckinghamshire, carried over his troops, which amounted to four thousand men, and joined Mary. Even a fleet which had been sent by Northumberland to lie off the coast of Suffolk, being forced into Yarmouth by a storm, was engaged to declare for that princess.

Northumberland, hitherto blinded by ambition, saw at last the danger gather round him, and knew not to what hand to turn himself. He had levied forces which were assembled at London; but dreading the cabals of the courtiers and counsellors, whose compliance, he knew, had been entirely the result of fear or artifice, he was resolved to keep near the person of the Lady Jane, and sent Suffolk to command the army. But the counsellors, who wished to remove him,<sup>9</sup> working on the filial tenderness of Jane, magnified to her the danger to which her father would be exposed, and represented that Northumberland, who had gained reputation by formerly suppressing a rebellion in those parts, was more proper to command in that enterprise. The duke himself, who knew the slender capacity

<sup>8</sup> Heylin, p. 160. Burnet, vol. ii. p. 237.

<sup>9</sup> Godwin, p. 330. Heylin, p. 159. Burnet, vol. ii. p. 239. Fox, vol. iii. p. 15.

of Suffolk, began to think that none but himself was able to encounter the present danger, and he agreed to take on him the command of the troops. The counsellors attended on him at his departure with the highest protestations of attachment, and none more than Arundel, his mortal enemy.<sup>10</sup> As he went along, he remarked the disaffection of the people, which foreboded a fatal issue to his ambitious hopes. "Many," said he to Lord Gray, "come out to look at us, but I find not one who cries 'God speed you.'"<sup>11</sup>

The duke had no sooner reached St. Edmundsbury than he found his army, which did not exceed six thousand men, too weak to encounter the queen's,<sup>12</sup> which amounted to double the number. He wrote to the council, desiring them to send him a reinforcement; and the counsellors immediately laid hold of the opportunity to free themselves from confinement. They left the Tower, as if they meant to execute Northumberland's commands; but being assembled in Baynard's castle, a house belonging to Pembroke, they deliberated concerning the method of shaking off his usurped tyranny. Arundel began the conference by representing the injustice and cruelty of Northumberland, the exorbitancy of his ambition, the criminal enterprise which he had projected, and the guilt in which he had involved the whole council; and he affirmed that the only method of making atonement for their past offences was by a speedy return to the duty which they owed to their lawful sovereign.<sup>13</sup> This motion was seconded by Pembroke, who, clapping his hand to his sword, swore he was ready to fight any man that expressed himself of a contrary sentiment. The mayor and aldermen of London were immediately sent for, who discovered great alacrity in obeying the orders they received to proclaim Mary. The people expressed their approbation by shouts of applause. Even Suffolk, who commanded in the Tower, finding resistance fruitless, opened the gates and declared for the queen. The Lady Jane, after the vain pageantry of wearing a crown during ten days, returned to a private life with more satisfaction than she felt when the royalty was tendered to her;<sup>14</sup> and the messengers who were sent to Northumberland with orders to lay down his arms found that he had despaired of success, was deserted by all his followers, and had already

<sup>10</sup> Heylin, p. 161. Baker, p. 315. Hollingshed, p. 1066.

<sup>11</sup> Speed, p. 816.

<sup>13</sup> Godwin, pp. 331, 332. Thuanus, lib. 13.

<sup>14</sup> Godwin, p. 332. Thuanus, lib. 13, c. 2.

<sup>12</sup> Godwin, p. 331.

proclaimed the queen, with exterior marks of joy and satisfaction.<sup>15</sup> The people everywhere, on the queen's approach to London, gave sensible expressions of their loyalty and attachment; and the Lady Elizabeth met her at the head of a thousand horse, which that princess had levied in order to support their joint title against the usurper.<sup>16</sup>

The queen gave orders for taking into custody the Duke of Northumberland, who fell on his knees to the Earl of Arundel, that arrested him, and abjectly begged his life.<sup>17</sup> At the same time were committed the Earl of Warwick, his eldest son, Lord Ambrose and Lord Henry Dudley, two of his younger sons, Sir Andrew Dudley, his brother, the Marquis of Northampton, the Earl of Huntingdon, Sir Thomas Palmer, and Sir John Gates. The queen afterwards confined the Duke of Suffolk, Lady Jane Gray, and Lord Guilford Dudley. But Mary was desirous, in the beginning of her reign, to acquire popularity by the appearance of clemency; and because the counsellors pleaded constraint as an excuse for their treason, she extended her pardon to most of them. Suffolk himself recovered his liberty; and he owed this indulgence, in a great measure, to the contempt entertained of his capacity. But the guilt of Northumberland was too great, as well as his ambition and courage too dangerous, to permit him to entertain any reasonable hopes of life. When brought to his trial, he only desired permission to ask two questions of the Peers appointed to sit on his jury; whether a man could be guilty of treason that obeyed orders given him by the council under the great seal, and whether those who were involved in the same guilt with himself could sit as his judges. Being told that the great seal of a usurper was no authority, and that persons not lying under any sentence of attainder were still innocent in the eye of the law, and might be admitted on any jury,<sup>18</sup> he acquiesced, and pleaded guilty. At his execution he made profession of the Catholic religion, and told the people that they never would enjoy tranquillity till they returned to the faith of their ancestors; whether that such were his real sentiments, which he had formerly disguised from interest and ambition, or that he hoped by this declaration to render the queen more favorable to his family.<sup>19</sup> Sir Thomas Palmer and Sir John Gates suffered

<sup>15</sup> Stowe, p. 612. <sup>16</sup> Burnet, vol. ii. p. 240. Heylin, p. 19. Stowe, p. 613.

<sup>17</sup> Burnet, vol. ii. p. 239. Stowe, p. 612. Baker, p. 315. Hollingshed, p. 1088.

<sup>18</sup> Burnet, vol. ii. p. 243. Heylin, p. 18. Baker, p. 316. Hollingshed, p. 1089.

<sup>19</sup> Heylin, p. 19. Burnet, vol. iii. p. 243. Stowe, p. 614.



with him ; and this was all the blood split on account of so dangerous and criminal an enterprise against the rights of the sovereign. Sentence was pronounced against the Lady Jane and Lord Guilford, but without any present intention of putting it in execution. The youth and innocence of the persons, neither of whom had reached their seventeenth year, pleaded sufficiently in their favor.

When Mary first arrived in the Tower, the Duke of Norfolk, who had been detained prisoner during all the last reign ; Courtney, son of the Marquis of Exeter, who, without being charged with any crime, had been subjected to the same punishment ever since his father's attainder ; Gardiner, Tonsal, and Bonner, who had been confined for their adhering to the Catholic cause, appeared before her and implored her clemency and protection.<sup>20</sup> They were all of them restored to their liberty, and immediately admitted to her confidence and favor. Norfolk's attainder, notwithstanding that it had passed in Parliament, was represented as null and invalid, because, among other informalities, no special matter had been alleged against him except wearing a coat of arms which he and his ancestors, without giving any offence, had always made use of, in the face of the court and of the whole nation. Courtney soon after received the title of Earl of Devonshire ; and though educated in such close confinement that he was altogether unacquainted with the world, he soon acquired all the accomplishments of a courtier and a gentleman, and made a considerable figure during the few years which he lived after he recovered his liberty.<sup>21</sup> Besides performing all those popular acts, which, though they only affected individuals, were very acceptable to the nation, the queen endeavored to ingratiate herself with the public by granting a general pardon, though with some exceptions, and by remitting the subsidy voted to her brother by the last Parliament.<sup>22</sup>

The joy arising from the succession of the lawful heir, and from the gracious demeanor of the sovereign, hindered not the people from being agitated with great anxiety concerning the state of religion ; and as the bulk of the nation inclined to the Protestant communion, the apprehensions entertained concerning the principles and prejudices of the new queen were pretty general. The legitimacy of Mary's birth had appeared to be somewhat connected with the

<sup>20</sup> Heylin, p. 20. Stowe, p. 613. Hollingshed, p. 1088.

<sup>21</sup> *Dépêches de Noailles*, vol. ii. pp. 246, 247.

<sup>22</sup> Stowe, p. 616.

papal authority; and that princess being educated with her mother, had imbibed the strongest attachment to the Catholic communion, and the highest aversion to those new tenets whence, she believed, all the misfortunes of her family had originally sprung. The discouragements which she lay under from her father, though at last they brought her to comply with his will, tended still more to increase her disgust to the reformers; and the vexations which the protector and the council gave her during Edward's reign, had no other effect than to confirm her father in her prejudices. Naturally of a sour and obstinate temper, and irritated by contradiction and misfortunes, she possessed all the qualities fitted to compose a bigot; and her extreme ignorance rendered her utterly incapable of doubt in her own belief, or of indulgence to the opinions of others. The nation, therefore, had great reason to dread not only the abolition, but the persecution, of the established religion from the zeal of Mary; and it was not long ere she discovered her intentions.

Gardiner, Bonner, Tonsal, Day, Heath, and Vesey were reinstated in their sees, either by a direct act of power or, what is nearly the same, by the sentence of commissioners appointed to review their trial and condemnation. Though the bishopric of Durham had been dissolved by authority of Parliament, the queen erected it anew by letters-patent, and replaced Tonsal in his regalities as well as his revenue. On pretence of discouraging controversy, she silenced, by an act of prerogative, all the preachers throughout England except such as should obtain a particular license; and it was easy to foresee that none but the Catholics would be favored with this privilege. Holgate, Archbishop of York, Coverdale, Bishop of Exeter, Ridley, of London, and Hooper, of Gloucester, were thrown into prison, whither old Latimer also was sent soon after. The zealous bishops and priests were encouraged in their forwardness to revive the mass, though contrary to the present laws. Judge Hales, who had discovered such constancy in defending the queen's title, lost all his merit by an opposition to those illegal practices; and, being committed to custody, was treated with such severity that he fell into frenzy and killed himself. The men of Suffolk were browbeaten because they presumed to plead the promise which the queen, when they enlisted themselves in her service, had given them of maintaining the reformed religion; one in particular was set in the pil-

lory because he had been too peremptory in recalling to her memory the engagements which she had taken on that occasion; and though the queen still promised, in a public declaration before the council, to tolerate those who differed from her, men foresaw that this engagement, like the former, would prove but a feeble security when set in opposition to religious prejudices.

The merits of Cranmer towards the queen during the reign of Henry had been considerable, and he had successfully employed his good offices in mitigating the severe prejudices which that monarch had entertained against her. But the active part which he had borne in promoting her mother's divorce, as well as in conducting the Reformation, had made him the object of her hatred; and though Gardiner had been equally forward in soliciting and defending the divorce, he had afterwards made sufficient atonement by his sufferings in defence of the Catholic cause. The primate, therefore, had reason to expect little favor during the present reign; but it was by his own indiscreet zeal that he brought on himself the first violence and persecution. A report being spread that Cranmer, in order to pay court to the queen, had promised to officiate in the Latin service, the archbishop, to wipe off this aspersion, published a manifesto in his own defence. Among other expressions, he there said as the devil was a liar from the beginning, and the father of lies, he had at this time stirred up his servants to persecute Christ and his true religion; that this infernal spirit now endeavored to restore the Latin satisfactory masses, a thing of his own invention and device; and, in order to effect his purpose, had falsely made use of Cranmer's name and authority; and that the mass is not only without foundation, either in the Scriptures or in the practice of the primitive church, but likewise discovers a plain contradiction to antiquity and the inspired writings, and is besides replete with many horrid blasphemies.<sup>23</sup> On the publication of this inflammatory paper, Cranmer was thrown into prison, and was tried for the part which he had acted in concurring with the Lady Jane and opposing the queen's accession. Sentence of high treason was pronounced against him; and though his guilt was shared with the whole privy council, and was even less than that of the greater part of them, this sentence, however severe, must

<sup>23</sup> Fox, vol. iii. p. 94. Heylin, p. 25. Godwin, p. 336. Burnet, vol. ii. Col. No. 8. Cramm. Mem. p. 305. Thuanus, lib. 13, c. 3.

be allowed entirely legal. The execution of it, however, did not follow, and Cranmer was reserved for a more cruel punishment.

Peter Martyr, seeing a persecution gathering against the reformers, desired leave to withdraw;<sup>24</sup> and while some zealous Catholics moved for his commitment, Gardiner both pleaded that he had come over by an invitation from the government, and generously furnished him with supplies for his journey; but as bigoted zeal still increased, his wife's body, which had been interred at Oxford, was afterwards dug up by public orders, and buried in a dunghill.<sup>25</sup> The bones of Bucer and Fagius, two foreign reformers, were about the same time committed to the flames at Cambridge.<sup>26</sup> John Alasco was first silenced, then ordered to depart the kingdom with his congregation. The greater part of the foreign Protestants followed him, and the nation thereby lost many useful hands for arts and manufactures. Several English Protestants also took shelter in foreign parts, and every thing bore a dismal aspect for the Reformation.

During this revolution of the court no protection was expected by Protestants from the Parliament, which was summoned to assemble. A zealous reformer<sup>27</sup> pretends that great violence and iniquity were used in the elections; but besides that the authority of this writer is inconsiderable, that practice, as the necessities of government seldom required it, had not hitherto been often employed in England. There still remained such numbers devoted by opinion or affection to many principles of the ancient religion that the authority of the crown was able to give such candidates the preference in most elections; and all those who hesitated to comply with the court religion rather declined taking a seat which, while it rendered them obnoxious to the queen, could afterwards afford them no protection against the violence of prerogative. It soon appeared, therefore, that a majority of the Commons would be obsequious to Mary's designs; and as the Peers were mostly attached to the court, from interest or expectations, little opposition was expected from that quarter.

In opening the Parliament, the court showed a contempt of the laws by celebrating before the two Houses a mass of the Holy Ghost, in the Latin tongue, attended with all the

<sup>24</sup> Heylin, p. 26. Godwin, p. 336. Cranm. Mem. p. 317. <sup>25</sup> Heylin, p. 26.

<sup>26</sup> Saunders de Schism. Anglie.

<sup>27</sup> Beale. But Fox, who lived at the time, and is very minute in his narratives, says nothing of the matter. (See vol. iii. p. 16.)



ancient rites and ceremonies, though abolished by act of Parliament.<sup>28</sup> Taylor, Bishop of Lincoln, having refused to kneel at this service, was severely handled, and was violently thrust out of the house.<sup>29</sup> The queen, however, still retained the title of supreme head of the church of England; and it was generally pretended that the intention of the court was only to restore religion to the same condition in which it had been left by Henry, but that the other abuses of popery, which were the most grievous to the nation, would never be revived.

The first bill passed by the Parliament was of a popular nature, and abolished every species of treason not contained in the statute of Edward III., and every species of felony that did not subsist before the first of Henry VIII.<sup>30</sup> The Parliament next declared the queen to be legitimate, ratified the marriage of Henry with Catherine of Arragon, and annulled the divorce pronounced by Cranmer,<sup>31</sup> whom they greatly blamed on that account. No mention, however, is made of the pope's authority as any ground of the marriage. All the statutes of King Edward with regard to religion were repealed by one vote.<sup>32</sup> The attainder of the Duke of Norfolk was reversed; and this act of justice was more reasonable than the declaring of that attainder invalid, without farther authority. Many clauses of the riot act, passed in the late reign, were revived—a step which eluded, in a great measure, the popular statute enacted at the first meeting of Parliament.

Notwithstanding the compliance of the two Houses with the queen's inclinations, they had still a reserve in certain articles; and her choice of a husband in particular was of such importance to national interest that they were determined not to submit tamely, in that respect, to her will and pleasure. There were three marriages<sup>33</sup> concerning which it was supposed that Mary had deliberated after her accession. The first person proposed to her was Courtney, Earl of Devonshire, who, being an Englishman nearly allied to the crown, could not fail of being acceptable to the nation; and as he was of an engaging person and address, he had visibly gained on the queen's affections,<sup>34</sup> and hints were dropped

<sup>28</sup> Fox, vol. iii. p. 19.

<sup>29</sup> Burnet, vol. ii. p. 252.

<sup>30</sup> Mariæ, sess. 1, c. 1. By this repeal, though it was in general popular, the clause of 5 and 6 Edward VI. cap. 11 was lost, which required the confronting of two witnesses in order to prove any treason.

<sup>31</sup> Mariæ, sess. 2, c. 1.

<sup>32</sup> 1 Mariæ, sess. 2, c. 1.

<sup>33</sup> Thuanus, lib. 2, c. 3.

<sup>34</sup> Dépêches de Noailles, vol. ii. pp. 147, 163, 214, 215; vol. iii. p. 27.

him of her favorable dispositions towards him.<sup>35</sup> But that nobleman neglected these overtures, and seemed rather to attach himself to the Lady Elizabeth, whose youth and agreeable conversation he preferred to all the power and grandeur of her sister. This choice occasioned a great coldness in Mary towards Devonshire, and made her break out in a declared animosity against Elizabeth. The ancient quarrel between their mothers had sunk deep into the malignant heart of the queen; and after the declaration made by Parliament in favor of Catherine's marriage, she wanted not a pretence for representing the birth of her sister as illegitimate. The attachment of Elizabeth to the reformed religion offended Mary's bigotry; and as the young princess had made some difficulty in disguising her sentiments, violent menaces had been employed to bring her to compliance.<sup>36</sup> But when the queen found that Elizabeth had obstructed her views in a point which, perhaps, touched her still more nearly, her resentment, excited by pride, no longer knew any bounds, and the princess was visibly exposed to the greatest danger.<sup>37</sup>

Cardinal Pole, who had never taken priest's orders, was another party proposed to the queen, and there appeared many reasons to induce her to make choice of this prelate. The high character of Pole for virtue and humanity; the great regard paid him by the Catholic church, of which he had nearly reached the highest dignity on the death of Paul III.;<sup>38</sup> the queen's affection for the Countess of Salisbury, his mother, who had once been her governess; the violent animosity to which he had been exposed on account of his attachment to the Romish communion—all these considerations had a powerful influence on Mary. But the cardinal was now in the decline of life; and having contracted habits of study and retirement, he was represented to her as unqualified for the bustle of a court and the hurry of business.<sup>39</sup> The queen, therefore, dropped all thoughts of that alliance; but as she entertained a great regard for Pole's wisdom and virtue, she still intended to reap the benefit of his counsel in the administration of her government. She secretly entered into a negotiation with Commendone, an agent of Cardinal Dandino, legate at Brussels; she sent assurances to the pope, then Julius III., of her earnest desire to reconcile her-

<sup>35</sup> Godwin, p. 339.

<sup>37</sup> Heylin, p. 31. Burnet, vol. ii. p. 255.

<sup>39</sup> Heylin, p. 31.

<sup>36</sup> *Dépêches de Noailles*, vol. ii. *passim*.

<sup>38</sup> Father Paul, book 3.

self and her kingdoms to the holy see; and she desired that Pole might be appointed legate for the performance of that pious office.<sup>40</sup>

These two marriages being rejected, the queen cast her eye towards the emperor's family, from which her mother was descended, and which, during her own distresses, had always afforded her countenance and protection. Charles V., who a few years before was almost absolute master of Germany, had exercised his power in such an arbitrary manner that he gave extreme disgust to the nation, who apprehended the total extinction of their liberties from the encroachments of that monarch.<sup>41</sup> Religion had served him as a pretence for his usurpations; and from the same principle he met with that opposition which overthrew his grandeur and dashed all his ambitious hopes. Maurice, Elector of Saxony, enraged that the Landgrave of Hesse, who, by his advice and on his assurances, had put himself into the emperor's hands, should be unjustly detained a prisoner, formed a secret conspiracy among the Protestant princes; and covering his intentions with the most artful disguises, he suddenly marched his forces against Charles, and narrowly missed becoming master of his person. The Protestants flew to arms in every quarter; and their insurrection, aided by an invasion from France, reduced the emperor to such difficulties that he was obliged to submit to terms of peace which insured the independence of Germany. To retrieve his honor, he made an attack on France; and laying siege to Metz with an army of a hundred thousand men, he conducted the enterprise in person, and seemed determined, at all hazards, to succeed in an undertaking which had fixed the attention of Europe. But the Duke of Guise, who defended Metz with a garrison composed of the bravest nobility of France, exerted such vigilance, conduct, and valor that the siege was protracted to the depth of winter, and the emperor found it dangerous to persevere any longer. He retired, with the remains of his army, into the Low Countries, much dejected with that reverse of fortune which, in his declining years, had so fatally overtaken him.

No sooner did Charles hear of the death of Edward, and the accession of his kinswoman Mary to the crown of England, than he formed the scheme of acquiring that kingdom to his family; and he hoped, by this incident, to balance all the losses which he had sustained in Germany. His son

<sup>40</sup> Burnet, vol. ii. p. 258.

<sup>41</sup> Thuanus, lib. 4, c. 17.

Philip was a widower; and though he was only twenty-seven years of age, eleven years younger than the queen, this objection, it was thought, would be overlooked, and there was no reason to despair of her still having a numerous issue. The emperor, therefore, immediately sent over an agent to signify his intentions to Mary, who, pleased with the support of so powerful an alliance, and glad to unite herself more closely with her mother's family, to which she was ever strongly attached, readily embraced the proposal. Norfolk, Arundel, and Paget gave their advice for the match; and Gardiner, who was become prime minister, and who had been promoted to the office of chancellor, finding how Mary's inclinations lay, seconded the project of the Spanish alliance. At the same time he represented, both to her and the emperor, the necessity of stopping all farther innovations in religion till the completion of the marriage. He observed that the Parliament, amidst all their compliances, had discovered evident symptoms of jealousy, and seemed, at present, determined to grant no farther concessions in favor of the Catholic religion; that though they might make a sacrifice to their sovereign of some speculative principles which they did not well comprehend, or of some rites which seemed not of any great moment, they had imbibed such strong prejudices against the pretended usurpations and exactions of the court of Rome that they would with great difficulty be again brought to submit to its authority; that the danger of resuming the abbey lands would alarm the nobility and gentry, and induce them to encourage the prepossessions which were but too general among the people against the doctrine and worship of the Catholic church; that much pains had been taken to prejudice the nation against the Spanish alliance; and if that point were urged at the same time with farther changes in religion, it would hazard a general revolt and insurrection; that the marriage, being once completed, would give authority to the queen's measures, and enable her afterwards to forward the pious work in which she was engaged; and that it was even necessary previously to reconcile the people to the marriage by rendering the conditions extremely favorable to the English, and such as would seem to insure to them their independence and the entire possession of their ancient laws and privileges.<sup>42</sup>

The emperor, well acquainted with the prudence and

<sup>42</sup> Burnet, vol. ii. p. 261.



experience of Gardiner, assented to all these reasons; and he endeavored to temper the zeal of Mary by representing the necessity of proceeding gradually in the great work of converting the nation. Hearing that Cardinal Pole, more sincere in his religious opinions, and less guided by the maxims of human policy, after having sent contrary advice to the queen, had set out on his journey to England, where he was to execute his legatine commission, he thought proper to stop him at Dillinghen, a town on the Danube, and he afterwards obtained Mary's consent for this detention. The negotiation for the marriage, meanwhile, proceeded apace, and Mary's intentions of espousing Philip became generally known to the nation. The Commons, who hoped that they had gained the queen by the concessions which they had already made, were alarmed to hear that she was resolved to contract a foreign alliance, and they sent a committee to remonstrate in strong terms against that dangerous measure. To prevent further applications of the same kind, she thought proper to dissolve the Parliament.

A convocation had been summoned at the same time with the Parliament, and the majority here also appeared to be of the court religion. An offer was very frankly made by the Romanists to dispute concerning the points controverted between the two communions; and as transubstantiation was the article which, of all others, they deemed the clearest and founded on the most irresistible arguments, they chose to try their strength by defending it. The Protestants pushed the dispute as far as the clamor and noise of their antagonists would permit; and they fondly imagined that they had obtained some advantage when, in the course of the debate, they obliged the Catholics to avow that, according to their doctrine, Christ had in his last supper held himself in his hand, and had swallowed and eaten himself.<sup>43</sup> This triumph, however, was confined only to their own party: the Romanists maintained that *their* champions had clearly the better of the day; that their adversaries were blind and obstinate heretics; that nothing but the most extreme depravity of heart could induce men to contest such self-evident principles; and that the severest punishments were due to their perverse wickedness. So pleased were they with their superiority in this favorite point that they soon after renewed the dispute at Oxford; and to show that they feared no force of learning or abilities, where reason

<sup>43</sup> Collier, vol. ii. p. 356. Fox, vol. iii. p. 22.

was so evidently on their side, they sent thither Cranmer, Latimer, and Ridley, under a guard, to try whether these renowned controversialists could find any appearance of argument to defend their baffled principles.<sup>44</sup> The issue of the debate was very different from what it appeared to be a few years before, in a famous conference held at the same place during the reign of Edward.

After the Parliament and convocation were dismissed, the new laws with regard to religion, though they had been anticipated, in most places, by the zeal of the Catholics countenanced by government, were still more openly put in execution: the mass was everywhere re-established, and marriage was declared to be incompatible with any spiritual office. It has been asserted by some writers that three-fourths of the clergy were at this time deprived of their livings; though other historians, more accurate,<sup>45</sup> have estimated the number of sufferers to be far short of this proportion. A visitation was appointed in order to restore more perfectly the mass and the ancient rites. Among other articles, the commissioners were enjoined to forbid the oath of supremacy to be taken by the clergy on their receiving any benefice.<sup>46</sup> It is to be observed that this oath had been established by the laws of Henry VIII., which were still in force.

This violent and sudden change of religion inspired the Protestants with great discontent; and even affected indifferent spectators with concern, by the hardships to which so many individuals were on that account exposed. But the Spanish match was a point of more general concern, and diffused universal apprehensions for the liberty and independence of the nation. To obviate all clamor, the articles of marriage were drawn as favorable as possible for the interest and security, and even grandeur, of England. It was agreed that, though Philip should have the title of king, the administration should be entirely in the queen; that no foreigner should be capable of enjoying any office in the kingdom; that no innovation should be made in the English laws, customs, and privileges; that Philip should not carry the queen abroad without her consent, nor any of her children without the consent of the nobility; that sixty thousand pounds a year should be settled as her jointure; that the male issue of this marriage should inherit, together with

<sup>44</sup> Mem. Cranm. p. 354. Heylin, p. 50.

<sup>45</sup> Harmer, p. 138.

<sup>46</sup> Collier, vol. ii. p. 364. Fox, vol. iii. p. 38. Heylin, p. 35. Sleidan, lib. 25.

England, both Burgundy and the Low Countries; and that if Don Carlos, Philip's son by his former marriage, should die and his line be extinct, the queen's issue, whether male or female, should inherit Spain, Sicily, Milan, and all the other dominions of Philip.<sup>47</sup> Such was the treaty of marriage signed by Count Egmont and three other ambassadors sent over to England by the emperor.<sup>48</sup>

These articles, when published, gave no satisfaction to the nation: it was universally said that the emperor, in order to get possession of England, would verbally agree to any terms; and the greater advantage there appeared in the conditions which he granted, the more certainly it might be concluded that he had no serious intention of observing them; that the usual fraud and ambition of that monarch might assure the nation of such a conduct; and his son Philip, while he inherited these vices from his father, added to them tyranny, sullenness, pride, and barbarity, more dangerous vices of his own; that England would become a province, and a province to a kingdom which usually exercised the most violent authority over all her dependent dominions; that the Netherlands, Milan, Sicily, Naples, groaned under the burden of Spanish tyranny, and throughout all the new conquests in America there had been displayed scenes of unrelenting cruelty hitherto unknown in the history of mankind; that the inquisition was a tribunal invented by that tyrannical nation, and would infallibly, with all their other laws and institutions, be introduced into England; and that the divided sentiments of the people with regard to religion would subject multitudes to this iniquitous tribunal, and would reduce the whole nation to the most abject servitude.<sup>49</sup>

These complaints, being diffused everywhere, prepared the people for a rebellion; and had any foreign power given them encouragement, or any great man appeared to head them, the consequences might have proved fatal to the queen's authority. But the King of France, though engaged in hostilities with the emperor, refused to concur in any proposal for an insurrection, lest he should afford Mary a pretence for declaring war against him.<sup>50</sup> And the more prudent part of the nobility thought that, as the evils of the Spanish alliance were only dreaded at a distance, matters

<sup>47</sup> Rymer, vol. xv. p. 377.

<sup>48</sup> *Dépêches de Noailles*, vol. ii. p. 299.

<sup>49</sup> Heylin, p. 32. Burnet, vol. ii. p. 268. Godwin, p. 339.

<sup>50</sup> *Dépêches de Noailles*, vol. ii. p. 249; vol. iii. pp. 17, 58.

were not yet fully prepared for a general revolt. Some persons, however, more turbulent than the rest, believed that it would be safer to prevent than to redress grievances; and they formed a conspiracy to rise in arms and declare against the queen's marriage with Philip. Sir Thomas Wyatt purposed to raise Kent, Sir Peter Carew, Devonshire; and they engaged the Duke of Suffolk, by the hopes of recovering the crown for the Lady Jane, to attempt raising the midland counties.<sup>51</sup> Carew's impatience or apprehensions engaged him to break the concert, and to rise in arms before the day appointed; he was soon suppressed by the Earl of Bedford, and constrained to fly into France. On this intelligence, Suffolk, dreading an arrest, suddenly left the town, with his brothers, Lord Thomas and Lord Leonard Gray, and endeavored to raise the people in the counties of Warwick and Leicester, where his interest lay; but he was so closely pursued by the Earl of Huntingdon, at the head of three hundred horse, that he was obliged to disperse his followers, and, being discovered in his concealment, he was carried prisoner to London.<sup>52</sup> Wyatt was at first more successful in his attempt; and having published a declaration at Maidstone in Kent, against the queen's evil counsellors and against the Spanish match, without any mention of religion, the people began to flock to his standard. The Duke of Norfolk, with Sir Henry Jernegan, was sent against him, at the head of the guards and some other troops, reinforced with five hundred Londoners commanded by Bret; and he came within sight of the rebels at Rochester, where they had fixed their head-quarters. Sir George Harper here pretended to desert from them; but having secretly gained Bret, these two malcontents so wrought on the Londoners that the whole body deserted to Wyatt, and declared that they would not contribute to enslave their native country. Norfolk, dreading the contagion of the example, immediately retreated with his troops and took shelter in the city.<sup>53</sup>

After this proof of the dispositions of the people, especially of the Londoners, who were mostly Protestants, Wyatt was encouraged to proceed. He led his forces to Southwark, where he required of the queen that she should put the Tower into his hands, should deliver four counsellors as

<sup>51</sup> Heylin, p. 33. Godwin, p. 340.

<sup>52</sup> Fox, vol. iii. p. 30.

<sup>53</sup> Heylin, p. 33. Godwin, p. 341. Stowe, p. 619. Baker, p. 318. Hollingshed, p. 1094.



hostages, and, in order to insure the liberty of the nation, should immediately marry an Englishman. Finding that the bridge was secured against him, and that the city was overawed, he marched up to Kingston, where he passed the river with four thousand men; and, returning towards London, hoped to encourage his partisans, who had engaged to declare for him. He had imprudently wasted so much time at Southwark, and in his march from Kingston, that the critical season, on which all popular commotions depend, was entirely lost. Though he entered Westminster without resistance, his followers, finding that no person of note joined him, insensibly fell off, and he was at last seized near Temple-bar by Sir Maurice Berkeley.<sup>54</sup> Four hundred persons are said to have suffered for this rebellion;<sup>55</sup> four hundred more were conducted before the queen with ropes about their necks, and, falling on their knees, received a pardon and were dismissed. Wyatt was condemned and executed. As it had been reported that, on his examination, he had accused the Lady Elizabeth and the Earl of Devonshire as accomplices, he took care on the scaffold, before the whole people, fully to acquit them of having any share in his rebellion.

The Lady Elizabeth had been, during some time, treated with great harshness by her sister; and many studied instances of discouragement and disrespect had been practised against her. She was ordered to take place at court after the Countess of Lenox and the Duchess of Suffolk, as if she were not legitimate,<sup>56</sup> her friends were discountenanced on every occasion; and while her virtues, which were now become eminent, drew to her the attendance of all the young nobility, and rendered her the favorite of the nation,<sup>57</sup> the malevolence of the queen still discovered itself every day by fresh symptoms, and obliged the princess to retire into the country. Mary seized the opportunity of this rebellion; and, hoping to involve her sister in some appearance of guilt, sent for her under a strong guard, committed her to the Tower, and ordered her to be strictly examined by the council. But the public declaration made by Wyatt rendered it impracticable to employ against her any false evidence which might have offered; and the princess made so good a defence that the queen found herself

<sup>54</sup> Fox, vol. iii. p. 31. Heylin, p. 34. Burnet, vol. ii. p. 270. Stowe, p. 621.

<sup>55</sup> *Dépêches de Noailles*, vol. iii. p. 124.

<sup>56</sup> *Dépêches de Noailles*, vol. ii. pp. 273, 288.

<sup>57</sup> *Dépêches de Noailles*, vol. iii. p. 273.

under a necessity of releasing her.<sup>58</sup> In order to send her out of the kingdom, a marriage was offered her with the Duke of Savoy; and when she declined the proposal, she was committed to custody, under a strong guard, at Wode-stoke.<sup>59</sup> The Earl of Devonshire, though equally innocent, was confined in Fotheringay castle.

But this rebellion proved still more fatal to the Lady Jane Gray, as well as to her husband. The Duke of Suffolk's guilt was imputed to her; and though the rebels and malcontents seemed chiefly to rest their hopes on the Lady Elizabeth and the Earl of Devonshire, the queen, incapable of generosity or clemency, determined to remove every person from whom the least danger could be apprehended. Warning was given the Lady Jane to prepare for death—a doom which she had long expected, and which the innocence of her life, as well as the misfortunes to which she had been exposed, rendered nowise unwelcome to her. The queen's zeal, under color of tender mercy to the prisoner's soul, induced her to send divines, who harassed her with perpetual disputation; and even a reprieve for three days was granted her, in hopes that she would be persuaded, during that time, to pay, by a timely conversion, some regard to her eternal welfare. The Lady Jane had presence of mind, in those melancholy circumstances, not only to defend her religion by all the topics then in use, but also to write a letter to her sister<sup>60</sup> in the Greek language, in which, besides sending her a copy of the Scriptures in that tongue, she exhorted her to maintain, in every fortune, a like steady perseverance. On the day of her execution her husband, Lord Guilford, desired permission to see her; but she refused her consent, and informed him by a message that the tenderness of their parting would overcome the fortitude of both, and would too much unbend their minds from that constancy which their approaching end required of them; their separation, she said, would be only for a moment; and they would soon rejoin each other in a scene where their affections would be forever united, and where death, disappointment, and misfortunes could no longer have access to them or disturb their eternal felicity.<sup>61</sup>

It had been intended to execute the Lady Jane and Lord

<sup>58</sup> Godwin, p. 343. Burnet, vol. ii. p. 273. Fox, vol. iii. pp. 99, 105. Strype's Mem. vol. iii. p. 85.

<sup>59</sup> Dépêches de Noailles, vol. iii. p. 226.

<sup>60</sup> Fox, vol. iii. p. 35. Heylin, p. 166.

<sup>61</sup> Heylin, p. 167. Baker, p. 319.

Guilford together on the same scaffold at Tower-hill; but the council, dreading the compassion of the people for their youth, beauty, innocence, and noble birth, changed their orders, and gave directions that she should be beheaded within the verge of the Tower. She saw her husband led to execution; and, having given him from the window some token of her remembrance, she waited with tranquillity till her own appointed hour should bring her to a like fate. She even saw his headless body carried back in a cart; and found herself more confirmed by the reports which she heard of the constancy of his end than shaken by so tender and melancholy a spectacle. Sir John Gage, constable of the Tower, when he led her to execution, desired her to bestow on him some small present, which he might keep as a perpetual memorial of her; she gave him her table-book, on which she had just written three sentences on seeing her husband's dead body: one in Greek, another in Latin, a third in English.<sup>62</sup> The purport of them was, that human justice was against his body, but divine mercy would be favorable to his soul; that if her fault deserved punishment, her youth, at least, and her imprudence were worthy of excuse; and that God and posterity, she trusted, would show her favor. On the scaffold she made a speech to the bystanders; in which the mildness of her disposition led her to take the blame wholly on herself, without uttering one complaint against the severity with which she had been treated. She said that her offence was, not the having laid her hand upon the crown, but the not rejecting it with sufficient constancy; that she had less erred through ambition than through reverence to her parents, whom she had been taught to respect and obey; that she willingly received death as the only satisfaction which she could now make to the injured state, and, though her infringement of the laws had been constrained, she would show by her voluntary submission to their sentence that she was desirous to atone for that disobedience into which too much filial piety had betrayed her; that she had justly deserved this punishment for being made the instrument, though the unwilling instrument, of the ambition of others; and that the story of her life, she hoped, might at least be useful by proving that innocence excuses not great misdeeds if they tend anywise to the destruction of the commonwealth. After uttering these words, she caused herself to be disrobed by her women, and

<sup>62</sup> Heylin, p. 167.

with a steady, serene countenance submitted herself to the executioner.<sup>63</sup>

The Duke of Suffolk was tried, condemned, and executed soon after, and would have met with more compassion had not his temerity been the cause of his daughter's untimely end. Lord Thomas Gray lost his life for the same crime. Sir Nicholas Throgmorton was tried in Guildhall; but, there appearing no satisfactory evidence against him, he was able, by making an admirable defence, to obtain a verdict of the jury in his favor. The queen was so enraged at this disappointment that, instead of releasing him as the law required, she recommitted him to the Tower, and kept him in close confinement during some time. But her resentment stopped not here: the jury, being summoned before the council, were all sent to prison, and afterwards fined, some of them a thousand pounds, others two thousand, apiece.<sup>64</sup> This violence proved fatal to several; among others to Sir John Throgmorton, brother to Sir Nicholas, who was condemned on no better evidence than had formerly been rejected. The queen filled the Tower and all the prisons with nobility and gentry whom their interest with the nation, rather than any appearance of guilt, had made the objects of her suspicion. And finding that she was universally hated, she determined to disable the people from resistance by ordering general musters, and directing the commissioners to seize their arms and lay them up in forts and castles.<sup>65</sup>

Though the government labored under so general an odium, the queen's authority had received such an increase from the suppression of Wyat's rebellion that the ministry hoped to find a compliant disposition in the new Parliament which was summoned to assemble. The emperor also, in order to facilitate the same end, had borrowed no less a sum than four hundred thousand crowns, which he had sent over to England to be distributed in bribes and pensions among the members—a pernicious practice, of which there had not hitherto been any instance in England. And not to give the public any alarm with regard to the church lands, the queen, notwithstanding her bigotry, resumed her title of supreme head of the church, which she had dropped three months before. Gardiner, the chancellor, opened the session

<sup>63</sup> Heylin, p. 167. Fox, vol. iii. pp. 36, 37. Hollingshed, p. 1099.

<sup>64</sup> Fox, vol. iii. p. 99. Stowe, p. 624. Baker, p. 320. Hollingshed, pp. 1104, 1121. Strype, vol. iii. p. 120. *Dépêches de Noailles*, vol. iii. p. 173.

<sup>65</sup> *Dépêches de Noailles*, vol. iii. p. 98.



by a speech, in which he asserted the queen's hereditary title to the crown; maintained her right of choosing a husband for herself; observed how proper a use she had made of that right by giving the preference to an old ally, descended from the house of Burgundy; and remarked the failure of Henry VIII.'s posterity, of whom there now remained none but the queen and the Lady Elizabeth. He added that, in order to obviate the inconveniences which might arise from different pretenders, it was necessary to invest the queen, by law, with a power of disposing of the crown, and of appointing her successor—a power, he said, which was not to be thought unprecedented in England, since it had formerly been conferred on Henry VIII.<sup>66</sup>

The Parliament was much disposed to gratify the queen in all her desires; but when the liberty, independence, and very being of the nation were in such visible danger, they could not, by any means, be brought to compliance. They knew both the inveterate hatred which she bore to the Lady Elizabeth and her devoted attachment to the house of Austria; they were acquainted with her extreme bigotry, which would lead her to postpone all considerations of justice or national interest to the establishment of the Catholic religion; they remarked that Gardiner had carefully avoided, in his speech, the giving to Elizabeth the appellation of the queen's sister, and they thence concluded that a design was formed of excluding her as illegitimate; they expected that Mary, if invested with such a power as she required, would make a will in her husband's favor, and thereby render England forever a province to the Spanish monarchy; and they were the more alarmed with these projects as they heard that Philip's descent from the house of Lancaster was carefully insisted on, and that he was publicly represented as the true and only heir by right of inheritance.

The Parliament, therefore, aware of their danger, were determined to keep at a distance from the precipice which lay before them. They could not avoid ratifying the articles of marriage,<sup>67</sup> which were drawn very favorable for England; but they declined the passing of any law such as the chancellor pointed out to them; they would not so much as declare it treason to imagine or attempt the death of the queen's husband while she was alive; and a bill introduced for that purpose was laid aside after the first reading. The more effectually to cut off Philip's hopes of possessing any

<sup>66</sup> *Dépêches de Noailles.*

<sup>67</sup> 1 Mar. Parl. 2, cap. 2.

authority in England, they passed a law in which they declared "that her majesty, as their only queen, should solely, and as a sole queen, enjoy the crown and sovereignty of her realms, with all the pre-eminences, dignities, and rights thereto belonging, in as large and ample a manner after her marriage as before, without any title or claim accruing to the Prince of Spain, either as tenant by courtesy of the realm or by any other means."<sup>68</sup>

A law passed in this Parliament for re-erecting the bishopric of Durham, which had been dissolved by the last Parliament of Edward.<sup>69</sup> The queen had already, by an exertion of her power, put Tonstal in possession of that see; but though it was usual, at that time, for the crown to assume authority which might seem entirely legislative, it was always deemed more safe and satisfactory to procure the sanction of Parliament. Bills were introduced for suppressing heterodox opinions contained in books, and for reviving the law of the six articles, together with those against the Lollards and against heresy and erroneous preaching; but none of these laws could pass the two Houses—a proof that the Parliament had reserves even in their concessions with regard to religion, about which they seem to have been less scrupulous. The queen, therefore, finding that they would not serve all her purposes, finished the session by dissolving them.

Mary's thoughts were now entirely employed about receiving Don Philip, whose arrival she hourly expected. This princess, who had lived so many years in a very reserved and private manner, without any prospect or hopes of a husband, was so smitten with affection for her young consort, whom she had never seen, that she waited with the utmost impatience for the completion of the marriage, and every obstacle was to her a source of anxiety and discontent.<sup>70</sup> She complained of Philip's delays as affected; and she could not conceal her vexation that, though she brought him a kingdom as her dowry, he treated her with such neglect that he had never yet favored her with a single letter.<sup>71</sup> Her fondness was but the more increased by this supercilious treatment; and when she found that her subjects had entertained the greatest aversion for the event to which she directed her fondest wishes, she made the whole English nation the object of her resentment. A squadron,

<sup>68</sup> 1 Mar. Parl. 2, cap. 1.

<sup>70</sup> Strype, vol. iii. p. 125.

<sup>69</sup> 1 Mar. Parl. 2, cap. 3.

<sup>71</sup> *Dépêches de Noailles*, vol. iii. p. 248.

under the command of Lord Effingham, had been fitted out to convoy Philip from Spain, where he then resided; but the admiral informing her that the discontents ran very high among the seamen, and that it was not safe for Philip to intrust himself in their hands, she gave orders to dismiss them.<sup>72</sup> She then dreaded lest the French fleet, being masters of the sea, might intercept her husband; and every rumor of danger, every blast of wind, threw her into panics and convulsions. Her health, and even her understanding, were visibly hurt by this extreme impatience; and she was struck with a new apprehension lest her person, impaired by time and blasted by sickness, should prove disagreeable to her future consort. Her glass discovered to her how haggard she was become; and when she remarked the decay of her beauty, she knew not whether she ought more to desire or apprehend the arrival of Philip.<sup>73</sup>

At last came the moment so impatiently expected, and news was brought the queen of Philip's arrival at Southampton.<sup>74</sup> A few days after they were married in Westminster; and having made a pompous entry into London, where Philip displayed his wealth with great ostentation, she carried him to Windsor, the palace in which they afterwards resided. The prince's behavior was ill calculated to remove the prejudices which the English nation had entertained against him. He was distant and reserved in his address; took no notice of the salutes even of the most considerable noblemen; and so intrenched himself in form and ceremony that he was in a manner inaccessible;<sup>75</sup> but this circumstance rendered him the more acceptable to the queen, who desired to have no company but her husband's, and who was impatient when she met with any interruption to her fondness. The shortest absence gave her vexation; and when he showed civilities to any other woman, she could not conceal her jealousy and resentment.

Mary soon found that Philip's ruling passion was ambition, and that the only method of gratifying him and securing his affections was to render him master of England. The interest and liberty of her people were considerations of small moment, in comparison of her obtaining this favorite

<sup>72</sup> *Dépêches de Noailles*, vol. iii. p. 220.

<sup>73</sup> *Dépêches de Noailles*, vol. iii. pp. 222, 252, 253.

<sup>74</sup> Fox, vol. iii. p. 99. Heylin, p. 39. Burnet, vol. iii. p. 392. Godwin, p. 345. We are told by Sir William Monson, p. 225, that the admiral of England fired at the Spanish navy when Philip was on board, because they had not lowered their topsails, as a mark of deference to the English navy, in the narrow seas—a very spirited behavior, and very unlike those times.

<sup>75</sup> Baker, p. 320.

point. She summoned a new Parliament, in hopes of finding them entirely compliant; and that she might acquire the greater authority over them, she imitated the precedent of the former reign, and wrote circular letters directing a proper choice of members.<sup>76</sup> The zeal of the Catholics, the influence of Spanish gold, the powers of prerogative, the discouragement of the gentry, particularly of the Protestants—all these causes, seconding the intrigues of Gardiner, had procured her a House of Commons which was in a great measure to her satisfaction; and it was thought, from the disposition of the nation, that she might now safely omit, on her assembling the Parliament, the title of “supreme head of the church,” though inseparably annexed by law to the crown of England.<sup>77</sup> Cardinal Pole had arrived in Flanders, invested with legatine powers from the pope; in order to prepare the way for his arrival in England, the Parliament passed an act reversing his attainder and restoring his blood; and the queen, dispensing with the old statute of provisors, granted him permission to act as legate. The cardinal came over; and after being introduced to the king and queen, he invited the Parliament to reconcile themselves and the kingdom to the apostolic see, from which they had been so long and so unhappily divided. This message was taken in good part; and both Houses voted an address to Philip and Mary, acknowledging that they had been guilty of a most horrible defection from the true church; professing a sincere repentance of their past transgressions; declaring their resolution to repeal all laws enacted in prejudice of the church of Rome; and praying their majesties that, since they were happily uninfected with that criminal schism, they would intercede with the holy father for the absolution and forgiveness of their penitent subjects.<sup>78</sup> The request was easily granted. The legate, in the name of his holiness, gave the Parliament and kingdom absolution, freed them from all censures, and received them again into the bosom of the church. The pope, then Julius III., being informed of these transactions, said that it was an unexampled instance of his felicity to receive thanks from the English for allowing them to do what he ought to give them thanks for performing.<sup>79</sup>

Notwithstanding the extreme zeal of those times for and

<sup>76</sup> Mem. Cranm. p. 344. Strype's Eccl. Mem. vol. iii. pp. 154, 155.

<sup>77</sup> Burnet, vol. ii. p. 291. Strype, vol. iii. p. 155.

<sup>78</sup> Fox, vol. iii. p. 3. Heylin, p. 42. Burnet, vol. ii. p. 293. Godwin, p. 247.

<sup>79</sup> Father Paul, lib. 4.



against popery, the object always uppermost with the nobility and gentry was their money and estates; they were not brought to make these concessions in favor of Rome till they had received repeated assurances from the pope, as well as the queen, that the plunder which they had made on the ecclesiastics should never be inquired into, and that the abbey and church lands should remain with the present possessors.<sup>80</sup> But not trusting altogether to these promises, the Parliament took care, in the law itself,<sup>81</sup> by which they repealed the former statutes enacted against the pope's authority, to insert a clause in which, besides bestowing validity on all marriages celebrated during the schism, and fixing the right of incumbents to their benefices, they gave security to possessors of church lands, and freed them from all danger of ecclesiastical censures. The convocation also, in order to remove apprehensions on that head, were induced to present a petition to the same purpose;<sup>82</sup> and the legate, in his master's name, ratified all these transactions. It now appeared that, notwithstanding the efforts of the queen and king, the power of the papacy was effectually suppressed in England, and invincible barriers fixed against its re-establishment. For though the jurisdiction of the ecclesiastics was, for the present, restored, their property, on which their power much depended, was irretrievably lost, and no hopes remained of recovering it. Even these arbitrary, powerful, and bigoted princes, while the transactions were yet recent, could not regain to the church her possessions so lately ravaged from her; and no expedients were left to the clergy for enriching themselves but those which they had at first practised, and which had required many ages of ignorance, barbarism, and superstition to produce their effect on mankind.<sup>83</sup>

The Parliament, having secured their own possessions, were more indifferent with regard to religion, or even to the lives of their fellow-citizens. They revived the old sanguinary laws against heretics,<sup>84</sup> which had been rejected in the former Parliament; they also enacted several statutes against seditious words and rumors;<sup>85</sup> and they made it treason to imagine or attempt the death of Philip during his marriage with the queen.<sup>86</sup> Each Parliament hitherto had

<sup>80</sup> Heylin, p. 41.<sup>81</sup> 1 and 2 Phil. and Mar. c. 8.<sup>82</sup> Heylin, p. 43. 1 and 2 Phil. and Mar. c. 8.

Strype, vol. iii. p. 159.

<sup>83</sup> See note [H] at the end of the volume.<sup>84</sup> 1 and 2 Phil. and Mar. c. 6.<sup>85</sup> 1 and 2 Phil. and Mar. c. 3, 9.<sup>86</sup> 1 and 2 Phil. and Mar. c. 10.

been induced to go a step farther than their predecessors; but none of them had entirely lost all regard to national interests. Their hatred against the Spaniards, as well as their suspicion of Philip's pretensions, still prevailed; and though the queen attempted to get her husband declared presumptive heir of the crown, and to have the administration put into his hands, she failed in all her endeavors, and could not so much as procure the Parliament's consent to his coronation.<sup>87</sup> All attempts, likewise, to obtain subsidies from the Commons in order to support the emperor in his war against France proved fruitless: the usual animosity and jealousy of the English against that kingdom seemed to have given place, for the present, to like passions against Spain. Philip, sensible of the prepossessions entertained against him, endeavored to acquire popularity by procuring the release of several prisoners of distinction: Lord Henry Dudley, Sir George Harper, Sir Nicholas Throgmorton, Sir Edmond Warner, Sir William St. Lo, Sir Nicholas Arnold, Harrington, Tremaine, who had been confined from the suspicions or resentment of the court.<sup>88</sup> But nothing was more agreeable to the nation than his protecting the Lady Elizabeth from the spite and malice of the queen, and restoring her to liberty. This measure was not the effect of any generosity in Philip, a sentiment of which he was wholly destitute; but of a refined policy which made him foresee that, if that princess were put to death, the next lawful heir was the Queen of Scots, whose succession would forever annex England to the crown of France. The Earl of Devonshire also reaped some benefit from Philip's affectation of popularity, and recovered his liberty; but that nobleman, finding himself exposed to suspicion, begged permission to travel;<sup>89</sup> and he soon after died in Padua, from poison, as is pretended, given him by the imperialists. He was the eleventh and last Earl of Devonshire of that noble family, one of the most illustrious in Europe.

The queen's extreme desire of having issue had made her fondly give credit to any appearance of pregnancy; and when the legate was introduced to her, she fancied that she felt the embryo stir in her womb.<sup>90</sup> Her flatterers compared this motion of the infant to that of John the Baptist, who leaped in his mother's belly at the salutation of the Virgin.<sup>91</sup>

<sup>87</sup> Godwin, p. 348. Baker, p. 322.

<sup>88</sup> Heylin, p. 39. Burnet, vol. ii. p. 287. Stowe, p. 626. *Dépêches de Noailles*, vol. iv. pp. 146, 147.

<sup>89</sup> Heylin, p. 40. Godwin, p. 349.

<sup>90</sup> *Dépêches de Noailles*, vol. iv. p. 25.

<sup>91</sup> Burnet, vol. ii. p. 292. Godwin, p. 348.

Despatches were immediately sent to inform foreign courts of this event; orders were issued to give public thanks; great rejoicings were made; the family of the young prince was already settled;<sup>92</sup> for the Catholics held themselves assured that the child was to be a male; and Bonner, Bishop of London, made public prayers be said that Heaven would please to render him beautiful, vigorous and witty. But the nation still remained somewhat incredulous, and men were persuaded that the queen labored under infirmities which rendered her incapable of having children. Her infant proved only the commencement of a dropsy which the disordered state of her health had brought upon her. The belief, however, of her pregnancy was upheld with all possible care, and was one artifice by which Philip endeavored to support his authority in the kingdom. [1555.] The Parliament passed a law which, in case of the queen's demise, appointed him protector during the minority; and the king and queen, finding they could obtain no farther concessions, came unexpectedly to Westminster and dissolved them.

There happened an incident this session which must not be passed over in silence. Several members of the Lower House, dissatisfied with the measures of the Parliament, but finding themselves unable to prevent them, made a secession in order to show their disapprobation, and refused any longer to attend the House.<sup>93</sup> For this instance of contumacy they were indicted in the king's bench after the dissolution of Parliament; six of them submitted to the mercy of the court, and paid their fines, the rest traversed; and the queen died before the affair was brought to an issue. Judging of the matter by the subsequent claims of the House of Commons, and indeed by the true principles of free government, this attempt of the queen's ministers must be regarded as a breach of privilege; but it gave little umbrage at the time, and was never called in question by any House of Commons which afterwards sat during this reign. The Count of Noailles, the French ambassador, says that the queen threw several members into prison for their freedom of speech.<sup>94</sup>

<sup>92</sup> Heylin, p. 46.

<sup>93</sup> Coke's *Institutes*, part 4, p. 17. *Strype's Memor.* vol. i. p. 165.

<sup>94</sup> Vol. v. p. 296.

## CHAPTER XXXVII.

REASONS FOR AND AGAINST TOLERATION.—PERSECUTIONS.—  
 A PARLIAMENT.—THE QUEEN'S EXTORTIONS.—THE EM-  
 PEROR RESIGNS HIS CROWN.—EXECUTION OF CRANMER.—  
 WAR WITH FRANCE.—BATTLE OF ST. QUINTIN.—CALAIS  
 TAKEN BY THE FRENCH.—AFFAIRS OF SCOTLAND.—MAR-  
 RIAGE OF THE DAUPHIN AND THE QUEEN OF SCOTS.—A  
 PARLIAMENT.—DEATH OF THE QUEEN.

THE success which Gardiner, from his cautious and prudent conduct, had met with in governing the Parliament and engaging them to concur both in the Spanish match and in the re-establishment of the ancient religion, two points to which, it was believed, they bore an extreme aversion, had so raised his character for wisdom and policy that his opinion was received as an oracle in the council; and his authority, as it was always great in his own party, no longer suffered any opposition or control. Cardinal Pole himself, though more beloved on account of his virtue and candor, and though superior in birth and station, had not equal weight in public deliberations; and while his learning, piety, and humanity were extremely respected, he was represented more as a good man than a great minister. A very important question was frequently debated before the queen and council by these two ecclesiastics: whether the laws lately revived against heretics should be put in execution, or should only be employed to restrain by terror the bold attempts of these zealots. Pole was very sincere in his religious principles; and though his moderation had made him be suspected at Rome of a tendency towards Lutheranism, he was seriously persuaded of the Catholic doctrines, and thought that no consideration of human policy ought ever to come in competition with such important interests. Gardiner on the contrary, had always made his religion subservient to his schemes of safety or advancement; and by his unlimited complaisance to Henry he had shown that, had he not been pushed to extremity under the late minority, he was sufficiently disposed to make a sacrifice of his principles to the es-



tablished theology. This was the well-known character of these two great counsellors; yet such is the prevalence of temper above system that the benevolent disposition of Pole led him to advise a toleration of the heretical tenets which he highly blamed; while the severe manners of Gardiner inclined him to support by persecution that religion which, at the bottom, he regarded with great indifference.<sup>1</sup> This circumstance of public conduct was of the highest importance; and from being the object of deliberation in the council, it soon became the subject of discourse throughout the nation. We shall relate, in a few words, the topics by which each side supported, or might have supported, their scheme of policy; and shall display the opposite reasons which have been employed with regard to an argument that ever has been, and ever will be, so much canvassed.

The practice of persecution, said the defenders of Pole's opinion, is the scandal of all religion; and the theological animosity so fierce and violent, far from being an argument of men's conviction in their opposite sects, is a certain proof that they have never reached any serious persuasion with regard to these remote and sublime subjects. Even those who are the most impatient of contradiction in other controversies are mild and moderate in comparison of polemical divines; and wherever a man's knowledge and experience give him a perfect assurance in his own opinion, he regards with contempt, rather than anger, the opposition and mistakes of others. But while men zealously maintain what they neither clearly comprehend nor entirely believe, they are shaken in their imagined faith by the opposite persuasion, or even doubts, of other men, and vent on their antagonists that impatience which is the natural result of so disagreeable a state of the understanding. They then easily embrace any pretence for representing opponents as impious and profane; and if they can also find a color for connecting this violence with the interests of civil government, they can no longer be restrained from giving uncontrolled scope to vengeance and resentment. But surely never enterprise was more unfortunate than that of founding persecution upon policy, or endeavoring, for the sake of peace, to settle an entire uniformity of opinion in questions which, of all others, are least subjected to the criterion of human reason. The universal and uncontradicted prevalence of one opinion in religious subjects can be owing at first to the stupid

<sup>1</sup> Heylin, p. 47.

ignorance alone and barbarism of the people, who never indulge themselves in any speculation or inquiry; and there is no expedient for maintaining that uniformity, so fondly sought after, but by banishing forever all curiosity and all improvement in science and cultivation. It may not, indeed, appear difficult to check, by a steady severity, the first beginnings of controversy; but besides that this policy exposes forever the people to all the abject terrors of superstition, and the magistrate to the endless encroachments of ecclesiastics, it also renders men so delicate that they can never endure to hear of opposition; and they will some time pay dearly for that false tranquillity in which they have been so long indulged. As healthful bodies are ruined by too nice a regimen, and are thereby rendered incapable of bearing the unavoidable incidents of human life, a people who never were allowed to imagine that their principles could be contested fly out into the most outrageous violence when any event (and such events are common) produces a faction among their clergy, and gives rise to any differences in tenet or opinion. But whatever may be said in favor of suppressing, by persecution, the first beginnings of heresy, no solid argument can be alleged for extending severity towards multitudes, or endeavoring, by capital punishments, to extirpate an opinion which has diffused itself among men of every rank and station. Besides the extreme barbarity of such an attempt, it commonly proves ineffectual to the purpose intended, and serves only to make men more obstinate in their persuasion, and to increase the number of their proselytes. The melancholy with which the fear of death, torture, and persecution inspires the sectaries is the proper disposition for fostering religious zeal: the prospect of eternal rewards, when brought near, overpowers the dread of temporal punishments; the glory of martyrdom stimulates all the more furious zealots, especially the leaders and preachers. Where a violent animosity is excited by oppression, men naturally pass from hating the persons of their tyrants to a more violent abhorrence of their doctrines; and the spectators, moved with pity towards the supposed martyrs, are easily seduced to embrace those principles which can inspire men with a constancy that appears almost supernatural. Open the door to toleration, mutual hatred relaxes among the sectaries; their attachment to their particular modes of religion decays; the common occupations and pleasures of life succeed to the acrimony of disputation,

and the same man who, in other circumstances, would have braved flames and tortures is induced to change his sect from the smallest prospect of favor and advancement, or even from the frivolous hope of becoming more fashionable in his principles. If any exception can be admitted to this maxim of toleration, it will only be where a theology altogether new, nowise connected with the ancient religion of the state, is imported from foreign countries, and may easily, at one blow, be eradicated, without leaving the seeds of future innovation. But as this exception would imply some apology for the ancient pagan persecutions, or for the extirpation of Christianity in China and Japan, it ought surely, on account of this detested consequence, to be rather buried in eternal silence and oblivion.

Though these arguments appear entirely satisfactory, yet such is the subtlety of human wit that Gardiner and the other enemies to toleration were not reduced to silence; and they still found topics on which to maintain the controversy. The doctrine, said they, of liberty of conscience is founded on the most flagrant impiety, and supposes such an indifference among all religions, such an obscurity in theological doctrines, as to render the church and magistrate incapable of distinguishing with certainty the dictates of Heaven from the mere fictions of human imagination. If the Divinity reveals principles to mankind, he will surely give a criterion by which they may be ascertained; and a prince who knowingly allows these principles to be perverted or adulterated is infinitely more criminal than if he gave permission for the vending of poison, under the shape of food, to all his subjects. Persecution may, indeed, seem better calculated to make hypocrites than converts; but experience teaches us that the habits of hypocrisy often turn into reality; and the children, at least, ignorant of the dissimulation of their parents, may happily be educated in more orthodox tenets. It is absurd, in opposition to considerations of such unspeakable importance, to plead the temporal and frivolous interests of civil society; and if matters be thoroughly examined, even that topic will not appear so universally certain in favor of toleration as by some it is represented. Where sects arise whose fundamental principle on all sides is to execrate, and abhor, and damn, and extirpate each other, what choice has the magistrate left but to take part, and, by rendering one sect entirely prevalent, restore, at least for a time, the public tran-

quillity? The political body, being here sickly, must not be treated as if it were in a state of sound health; and an affected neutrality in the prince, or even a cool preference, may serve only to encourage the hopes of all the sects, and keep alive their animosity. The Protestants, far from tolerating the religion of their ancestors, regard it as an impious and detestable idolatry; and during the late minority, when they were entirely masters, they enacted very severe, though not capital, punishments against all exercise of the Catholic worship, and even against such as barely abstained from their profane rites and sacraments. Nor are instances wanting of their endeavors to secure an imagined orthodoxy by the most rigorous executions: Calvin has burned Servetus at Geneva; Cranmer brought Arians and anabaptists to the stake; and if persecution of any kind be admitted, the most bloody and violent will surely be allowed the most justifiable, as the most effectual. Imprisonments, fines, confiscations, whippings, serve only to irritate the sects, without disabling them from resistance; but the stake, the wheel, and the gibbet must soon terminate in the extirpation or banishment of all the heretics inclined to give disturbance, and in the entire silence and submission of the rest.

The arguments of Gardiner, being more agreeable to the cruel bigotry of Mary and Philip, were better received; and though Pole pleaded, as is affirmed,<sup>2</sup> the advice of the emperor, who recommended it to his daughter-in-law not to exercise violence against the Protestants, and desired her to consider his own example, who, after endeavoring through his whole life to extirpate heresy, had, in the end, reaped nothing but confusion and disappointment, the scheme of toleration was entirely rejected. It was determined to let loose the laws in their full vigor against the reformed religion; and England was soon filled with scenes of horror, which have ever since rendered the Catholic religion the object of general detestation, and which prove that no human depravity can equal revenge and cruelty covered with the mantle of religion.

The persecutors began with Rogers, prebendary of St. Paul's, a man eminent in his party for virtue as well as for learning. Gardiner's plan was first to attack men of that

<sup>2</sup> Burnet, vol. ii. Heylin, p. 47. It is not likely, however, that Charles gave any such advice, for he himself was at this very time proceeding with great violence in persecuting the reformed in Flanders. Bentivoglio, part 1, lib. 1.



character whom, he hoped, terror would bend to submission, and whose example, either of punishment or recantation, would naturally have influence on the multitude; but he found a perseverance and courage in Rogers which it may seem strange to find in human nature, and of which all ages and all sects do nevertheless furnish many examples. Rogers, besides the care of his own preservation, lay under other powerful temptations to compliance: he had a wife, whom he tenderly loved, and ten children; yet such was his serenity after his condemnation that the jailers, it is said, waked him from a sound sleep when the hour of his execution approached. He had desired to see his wife before he died; but Gardiner told him that he was a priest, and could not possibly have a wife; thus joining insult to cruelty. Rogers was burnt in Smithfield.<sup>3</sup>

Hooper, Bishop of Gloucester, had been tried at the same time with Rogers, but was sent to his own diocese to be executed. This circumstance was contrived to strike the greater terror into his flock; but it was a source of consolation to Hooper, who rejoiced in giving testimony, by his death, to that doctrine which he had formerly preached among them. When he was tied to the stake, a stool was set before him, and the queen's pardon laid upon it, which it was still in his power to merit by a recantation; but he ordered it to be removed, and cheerfully prepared himself for that dreadful punishment to which he was sentenced. He suffered it in its full severity: the wind, which was violent, blew the flame of the reeds from his body; the fagots were green and did not kindle easily; all his lower parts were consumed before his vitals were attacked; one of his hands dropped off; with the other he continued to beat his breast; he was heard to pray, and to exhort the people, till his tongue, swollen with the violence of his agony, could no longer permit him utterance. He was three-quarters of an hour in torture, which he bore with inflexible constancy.<sup>4</sup>

Sanders was burned at Coventry; a pardon was also offered him, but he rejected it, and embraced the stake, saying, "Welcome the cross of Christ! welcome everlasting life!" Taylor, parson of Hadley, was punished by fire in that place, surrounded by his ancient friends and parishioners. When tied to the stake, he rehearsed a psalm in Eng-

<sup>3</sup> Fox, vol. iii. p. 119. Burnet, vol. ii. p. 302.

<sup>4</sup> Fox, vol. iii. p. 145, etc. Burnet, vol. ii. p. 302. Heylin, pp. 48, 49. Godwin, p. 349.

lish; one of his guards struck him in the mouth, and bade him speak Latin; another, in a rage, gave him a blow on the head with his halberd, which happily put an end to his torments.

There was one Philpot, Archdeacon of Winchester, inflamed with such zeal for orthodoxy that, having been engaged in dispute with an Arian, he spat in his adversary's face to show the great detestation which he had entertained against that heresy. He afterwards wrote a treatise to justify this unmannerly expression of zeal: he said that he was led to it in order to relieve the sorrow conceived from such horrid blasphemy, and to signify how unworthy such a miscreant was of being admitted into the society of any Christian.<sup>5</sup> Philpot was a Protestant; and falling now into the hands of people as zealous as himself, but more powerful, he was condemned to the flames, and suffered at Smithfield. It seems to be almost a general rule that, in all religions except the true, no man will suffer martyrdom who would not also inflict it willingly on all that differ from him. The same zeal for speculative opinions is the cause of both.

The crime for which almost all the Protestants were condemned was their refusal to acknowledge the real presence. Gardiner, who had vainly expected that a few examples would strike a terror into the reformers, finding the work daily multiply upon him, devolved the invidious office on others, chiefly on Bonner, a man of profligate manners and of a brutal character, who seemed to rejoice in the torments of the unhappy sufferers.<sup>6</sup> He sometimes whipped the prisoners with his own hands, till he was tired with the violence of the exercise; he tore out the beard of a weaver who refused to relinquish his religion; and that he might give him a specimen of burning, he held his hand to the candle till the sinews and veins shrunk and burst.<sup>7</sup>

It is needless to be particular in enumerating all the cruelties practised in England during the course of three years that these persecutions lasted; the savage barbarity, on the one hand, and the patient constancy, on the other, are so similar in all those martyrdoms that the narrative, little agreeable in itself, would never be relieved by any variety. Human nature appears not, on any occasion, so detestable, and at the same time so absurd, as in these religious persecutions, which sink men below infernal spirits in

<sup>5</sup> Strype, vol. iii. p. 261, and Coll. No. 58.

<sup>6</sup> Heylin, pp. 47, 48.

<sup>7</sup> Fox vol. iii. p. 187.

wickedness, and below the beasts in folly. A few instances only may be worth preserving, in order, if possible, to warn zealous bigots forever to avoid such odious and such fruitless barbarity.

Ferrar, Bishop of St. David's, was burned in his own diocese; and his appeal to Cardinal Pole was not attended to.<sup>8</sup> Ridley, Bishop of London, and Latimer, formerly Bishop of Worcester, two prelates celebrated for learning and virtue, perished together in the same flames at Oxford, and supported each other's constancy by their mutual exhortations. Latimer, when tied to the stake, called to his companion, "Be of good cheer, brother; we shall this day kindle such a torch in England as, I trust in God, shall never be extinguished." The executioners had been so merciful (for that clemency may more naturally be ascribed to them than to the religious zealots) as to tie bags of gunpowder about these prelates, in order to put a speedy period to their tortures; the explosion immediately killed Latimer, who was in extreme old age; Ridley continued alive during some time in the midst of the flames.<sup>9</sup>

One Hunter, a young man of nineteen, an apprentice, having been seduced by a priest into a dispute, had unwarily denied the real presence. Sensible of his danger, he immediately absconded; but Bonner, laying hold of his father, threatened him with the greatest severities if he did not produce the young man to stand his trial. Hunter, hearing of the vexations to which his father was exposed, voluntarily surrendered himself to Bonner, and was condemned to the flames by that barbarous prelate.

Thomas Haukes, when conducted to the stake, agreed with his friends that if he found the torture tolerable, he would make them a signal to that purpose in the midst of the flames. His zeal for the cause in which he suffered so supported him that he stretched out his arms, the signal agreed on; and in that posture he expired.<sup>10</sup> This example, with many others of like constancy, encouraged multitudes not only to suffer, but even to court and aspire to, martyrdom.

The tender sex itself, as they have commonly greater propensity to religion, produced many examples of the most inflexible courage in supporting the profession of it against all the fury of the persecutors. One execution, in particu-

<sup>8</sup> Fox, vol. iii. p. 216.

<sup>9</sup> Burnet, vol. ii. p. 318. Heylin, p. 52.

<sup>10</sup> Fox, vol. iii. p. 265.

lar, was attended with circumstances which, even at that time, excited astonishment by reason of their unusual barbarity. A woman in Guernsey, being near the time of her labor when brought to the stake, was thrown into such agitation by the torture that her belly burst, and she was delivered in the midst of the flames. One of the guards immediately snatched the infant from the fire, and attempted to save it; but a magistrate who stood by ordered it to be thrown back, being determined, he said, that nothing should survive which sprang from so obstinate and heretical a parent.<sup>11</sup>

The persons condemned to these punishments were not convicted of teaching or dogmatizing contrary to the established religion: they were seized merely on suspicion; and articles being offered them to subscribe, they were immediately, upon their refusal, condemned to the flames.<sup>12</sup> These instances of barbarity, so unusual in the nation, excited horror; the constancy of the martyrs was the object of admiration; and as men have a principle of equity engraven in their minds which even false religion is not able totally to obliterate, they were shocked to see persons of probity, of honor, of pious dispositions, exposed to punishments more severe than were inflicted on the greatest ruffians for crimes subversive of civil society. To exterminate the whole Protestant party was known to be impossible; and nothing could appear more iniquitous than to subject to torture the most conscientious and courageous among them, and allow the cowards and hypocrites to escape. Each martyrdom, therefore, was equivalent to a hundred sermons against popery; and men either avoided such horrible spectacles or returned from them full of a violent, though secret, indignation against the persecutors. Repeated orders were sent from the council to quicken the diligence of the magistrates in searching out heretics; and in some places the gentry were constrained to countenance, by their presence, those barbarous executions. These acts of violence tended only to render the Spanish government daily more odious; and Philip, sensible of the hatred which he incurred, endeavored to remove the reproach from himself by a very gross artifice: he ordered his confessor to deliver in his presence a sermon in favor of toleration—a doctrine somewhat extraordinary in the mouth of a Spanish friar.<sup>13</sup>

<sup>11</sup> Fox, vol. iii. p. 747. Heylin, p. 57. Burnet, vol. ii. p. 337.

<sup>12</sup> Burnet, vol. ii. p. 306.

<sup>13</sup> Heylin, p. 56.



But the court, finding that Bonner, however shameless and savage, would not bear alone the whole infamy, soon threw off the mask; and the unrelenting temper of the queen, as well as of the king, appeared without control. A bold step was even taken towards introducing the inquisition into England. As the bishops' courts, though extremely arbitrary, and not confined by any ordinary forms of law, appeared not to be invested with sufficient power, a commission was appointed, by authority of the queen's prerogative, more effectually to extirpate heresy. Twenty-one persons were named; but any three were armed with the powers of the whole. The commission runs in these terms: "That since many false rumors were published among the subjects, and many heretical opinions were also spread among them, the commissioners were to inquire into those, either by presentments, by witnesses, or any other political way they could devise, and to search after all heresies, the bringers in, the sellers, the readers of all heretical books; they were to examine and punish all misbehaviors or negligences in any church or chapel; and to try all priests that did not preach the sacrament of the altar; all persons that did not hear mass, or come to their parish church to service, that would not go in processions, or did not take holy bread or holy water; and if they found any that did obstinately persist in such heresies, they were to put them into the hands of their ordinaries, to be punished according to the spiritual laws: giving the commissioners full power to proceed as their discretions and consciences should direct them, and to use all such means as they would invent for the searching of the premises; empowering them also to call before them such witnesses as they pleased, and to force them to make oath of such things as might discover what they sought after."<sup>14</sup> Some civil powers were also given the commissioners to punish vagabonds and quarrelsome persons.

To bring the methods of proceeding in England still nearer to the practice of the inquisition, letters were written to Lord North and others enjoining them "to put to the torture such obstinate persons as would not confess, and there to order them at their discretion."<sup>15</sup> Secret spies, also, and informers were employed, according to the practice of that iniquitous tribunal. Instructions were given to the justices of peace, "That they should call secretly before them one or two honest persons within their limits, or more

<sup>14</sup> Burnet, vol. ii. Coll. 22.

<sup>15</sup> Burnet, vol. iii. p. 243.

at their discretion, and command them by oath, or otherwise, that they shall secretly learn and search out such persons as shall evil-behave themselves in church, or idly, or shall despise openly by words the king's or queen's proceedings, or go about to make any commotion, or tell any seditious tales or news. And also that the same persons so to be appointed shall declare to the same justices of peace the ill-behavior of lewd disordered persons, whether it shall be for using unlawful games and such other light behavior of such suspected persons; and that the same information shall be given secretly to the justices; and the same justices shall call such accused persons before them, and examine them, without declaring by whom they were accused; and that the same justices shall, upon their examination, punish the offenders, according as their offences shall appear upon the accusation and examination, by their discretion, either by open punishment or by good abearing."<sup>16</sup> In some respects this tyrannical edict even exceeded the oppression of the inquisition, by introducing into every part of government the same iniquities which that tribunal practises for the extirpation of heresy only, and which are in some measure necessary wherever that end is earnestly pursued.

But the court had devised a more expeditious and summary method of supporting orthodoxy than even the inquisition itself. They issued a proclamation against books of heresy, treason, and sedition; and declared "That whosoever had any of these books and did not presently burn them, without reading them or showing them to any other person, should be esteemed rebels, and, without any farther delay, be executed by martial law."<sup>17</sup> From the state of the English government during that period, it is not so much the illegality of these proceedings, as their violence and their pernicious tendency, which ought to be the object of our censure.

We have thrown together almost all the proceedings against heretics, though carried on during a course of three years, that we may be obliged as little as possible to return to such shocking violences and barbarities. It is computed that in that time two hundred and seventy-seven persons were brought to the stake, besides those who were punished by imprisonment, fines, and confiscations. Among those who suffered by fire were five bishops, twenty-one clergy-

<sup>16</sup> Burnet, vol. iii. pp. 246, 247.

<sup>17</sup> Burnet, vol. ii. p. 363. Heylin, p. 79.

men, eight lay gentlemen, eighty-four tradesmen, one hundred husbandmen, servants, and laborers, fifty-five women, and four children. This persevering cruelty appears astonishing; yet is it much inferior to what has been practised in other countries. A great author<sup>18</sup> computes that in the Netherlands alone, from the time that the edict of Charles V. was promulgated against the reformers, there had been fifty thousand persons hanged, beheaded, buried alive, or burnt, on account of religion; and that in France the number had also been considerable. Yet in both countries, as the same author subjoins, the progress of the new opinions, instead of being checked, was rather forwarded, by these persecutions.

The burning of heretics was a very natural method of reconciling the kingdom to the Romish communion, and little solicitation was requisite to engage the pope to receive the strayed flock from which he reaped such considerable profit; yet was there a solemn embassy sent to Rome, consisting of Sir Anthony Brown, created Viscount Montacute, the Bishop of Ely, and Sir Edward Carne, in order to carry the submissions of England, and beg to be readmitted into the bosom of the Catholic church.<sup>19</sup> Paul IV., after a short interval, now filled the papal chair, the most haughty pontiff that, during several ages, had been elevated to that dignity. He was offended that Mary still retained among her titles that of Queen of Ireland; and he affirmed that it belonged to him alone, as he saw cause either to erect new kingdoms or abolish the old; but, to avoid all disputes with the new converts, he thought proper to erect Ireland into a kingdom, and he then admitted the title, as if it had been assumed from his concession. This was a usual artifice of the popes, to give allowance to what they could not prevent,<sup>20</sup> and afterwards pretend that princes, while they exercised their own powers, were only acting by authority from the papacy. And though Paul had at first intended to oblige Mary formally to recede from this title before he would bestow it upon her, he found it prudent to proceed in a less haughty manner.<sup>21</sup>

Another point in discussion between the pope and the English ambassadors was not so easily terminated. Paul insisted that the property and possessions of the church should be restored to the uttermost farthing; that whatever

<sup>18</sup> Father Paul, lib. 5.

<sup>20</sup> Heylin, p. 45. Father Paul, lib. 5.

<sup>19</sup> Heylin, p. 45.

<sup>21</sup> Father Paul, lib. 5.

belonged to God could never by any law be converted to profane uses, and every person who detained such possessions was in a state of eternal damnation; that he would willingly, in consideration of the humble submissions of the English, make them a present of these ecclesiastical revenues; but such a concession exceeded his power, and the people might be certain that so great a profanation of holy things would be a perpetual anathema upon them, and would blast all their future felicity; that if they would truly show their filial piety, they must restore all the privileges and emoluments of the Romish church, and Peter's pence among the rest; nor could they expect that this apostle would open to them the gates of paradise while they detained from him his patrimony on earth.<sup>22</sup> These earnest remonstrances, being transmitted to England, though they had little influence on the nation, operated powerfully on the queen, who was determined, in order to ease her conscience, to restore all the church lands which were still in the possession of the crown; and the more to display her zeal, she erected anew some convents and monasteries, notwithstanding the low condition of the exchequer.<sup>23</sup> When this measure was debated in council, some members objected that, if such a considerable part of the revenue were dismembered, the dignity of the crown would fall to decay; but the queen replied that she preferred the salvation of her soul to ten such kingdoms as England.<sup>24</sup> These imprudent measures would not probably have taken place so easily had it not been for the death of Gardiner, which happened about this time; the great seal was given to Heathe, Archbishop of York, that an ecclesiastic might still be possessed of that high office, and be better enabled, by his authority, to forward the persecutions against the reformed.

These persecutions were now become extremely odious to the nation; and the effects of the public discontent appeared in the new Parliament summoned to meet at Westminster.<sup>25</sup> A bill<sup>26</sup> was passed restoring to the church the tenths and first-fruits, and all the impropriations which remained in the hands of the crown; but though this matter directly concerned none but the queen herself, great opposition was made to the bill in the House of Commons. An application being made for a subsidy during two years, and

<sup>22</sup> Father Paul, lib. 5. Heylin, p. 45.

<sup>23</sup> *Dépêches de Noailles*, vol. iv. p. 312.

<sup>24</sup> Heylin, pp. 53, 65. Hollingshed, p. 1127. Speed, p. 826.

<sup>25</sup> Burnet, vol. ii. p. 322.

<sup>26</sup> 2 and 3 Phil. and Mar. cap. 4.



for two fifteenths, the latter was refused by the Commons; and many members said that while the crown was thus despoiling itself of its revenue, it was in vain to bestow riches upon it. The Parliament rejected a bill for obliging the exiles to return, under certain penalties, and another for incapacitating such as were remiss in the prosecution of heresy from being justices of the peace. The queen, finding the intractable humor of the Commons, thought proper to dissolve the Parliament.

The spirit of opposition which began to prevail in Parliament was the more likely to be vexatious to Mary, as she was otherwise in very bad humor on account of her husband's absence, who, tired of her importunate love and jealousy, and finding his authority extremely limited in England, had laid hold of the first opportunity to leave her, and had gone over, last summer, to the emperor in Flanders. The indifference and neglect of Philip, added to the disappointment in her imagined pregnancy, threw her into deep melancholy; and she gave vent to her spleen by daily enforcing the persecutions against the Protestants, and ever by expressions of rage against all her subjects, by whom she knew herself to be hated, and whose opposition in refusing an entire compliance with Philip was the cause, she believed, why he had alienated his affections from her, and afforded her so little of his company.<sup>27</sup> The less return her love met with, the more it increased; and she passed most of her time in solitude, where she gave vent to her passion either in tears or in writing fond epistles to Philip, who seldom returned her any answer, and scarcely deigned to pretend any sentiment of love, or even of gratitude, towards her. The chief part of government to which she attended was the extorting of money from her people in order to satisfy his demands; and as the Parliament had granted her but a scanty supply, she had recourse to expedients very violent and irregular. She levied a loan of sixty thousand pounds upon a thousand persons, of whose compliance, either on account of their riches or their affections to her, she held herself best assured; but that sum not sufficing, she exacted a general loan on every one who possessed twenty pounds a year. This imposition lay heavy on the gentry, who were obliged, many of them, to retrench their expenses and dismiss their servants in order to enable them to comply with her demands; and as these servants, accustomed to idleness, and

<sup>27</sup> *Dépêches de Noailles*, vol. v. pp. 370, 562.

having no means of subsistence, commonly betook themselves to theft and robbery, the queen published a proclamation by which she obliged their former masters to take them back to their service. She levied sixty thousand marks on seven thousand yeomen, who had not contributed to the former loan, and she exacted thirty-six thousand pounds more from the merchants. In order to engage some Londoners to comply more willingly with her multiplied extortions, she passed an edict prohibiting, for four months, the exporting of any English cloth or kerseys to the Netherlands—an expedient which procured a good market for such as had already sent any quantity of cloth thither. Her rapaciousness engaged her to give endless disturbance and interruption to commerce. The English company settled in Antwerp having refused her a loan of forty thousand pounds, she dissembled her resentment till she found that they had bought and shipped great quantities of cloth for Antwerp fair, which was approaching: she then laid an embargo on the ships, and obliged the merchants to grant her a loan of the forty thousand pounds at first demanded, to engage for the payment of twenty thousand pounds more at a limited time, and to submit to an arbitrary imposition of twenty shillings on each piece. Some time after she was informed that the Italian merchants had shipped above forty thousand pieces of cloth for the Levant, for which they were to pay her a crown apiece, the usual imposition; she struck a bargain with the merchant adventurers in London; prohibited the foreigners from making any exportation; and received from the English merchants, in consideration of this iniquity, the sum of fifty thousand pounds and an imposition of four crowns on each piece of cloth which they should export. She attempted to borrow great sums abroad; but her credit was so low that, though she offered fourteen per cent. to the city of Antwerp for a loan of thirty thousand pounds, she could not obtain it till she compelled the city of London to be surety for her.<sup>28</sup> All these violent expedients were employed while she herself was in profound peace with all the world, and had visibly no occasion for money but to supply the demands of a husband who gave attention only to his own convenience and showed himself entirely indifferent about her interests.

Philip was now become master of all the wealth of the

<sup>28</sup> Godwin, p. 359. Cowper's Chronicle. Burnet, vol. ii. p. 359. Carte, pp. 330, 333, 337, 341. Strype's Memor. vol. iii. pp. 428, 558. Annals, vol. i. p. 15.

new world, and of the richest and most extensive dominions in Europe, by the voluntary resignation of the Emperor Charles V., who, though still in the vigor of his age, had taken a disgust to the world, and was determined to seek, in the tranquillity of retreat, for that happiness which he had in vain pursued amidst the tumults of war and the restless projects of ambition. He summoned the states of the Low Countries; and, seating himself on the throne for the last time, explained to his subjects the reasons of his resignation, absolved them from all oaths of allegiance, and, devolving his authority on Philip, told him that his paternal tenderness made him weep when he reflected on the burden which he imposed upon him.<sup>29</sup> He inculcated on him the great and only duty of a prince, the study of his people's happiness; and represented how much preferable it was to govern by affection, rather than by fear, the nations subjected to his dominion. The cool reflections of age now discovered to him the emptiness of his former pursuits; and he found that the vain schemes of extending his empire had been the source of endless opposition and disappointment, and kept himself, his neighbors, and his subjects in perpetual inquietude, and had frustrated the sole end of government, the felicity of the nations committed to his care—an object which meets with less opposition, and which, if steadily pursued, can alone convey a lasting and solid satisfaction.

[1556.] A few months after he resigned to Philip his other dominions; and, embarking on board a fleet, sailed to Spain, and took his journey to St. Just, a monastery in Estremadura, which, being situated in a happy climate, and amidst the greatest beauties of nature, he had chosen for the place of his retreat. When he arrived at Burgos he found, by the thinness of his court and the negligent attendance of the Spanish grandees, that he was no longer emperor; and though this observation might convince him still more of the vanity of the world, and make him more heartily despise what he had renounced, he sighed to find that all former adulation and obeisance had been paid to his fortune, not to his person. With better reason was he struck with the ingratitude of his son Philip, who obliged him to wait a long time for the payment of the small pension which he had reserved; and this disappointment in his domestic enjoyments gave him a sensible concern. He pur-

<sup>29</sup> Thuanus, lib. 16, c. 20.

sued, however, his resolution with inflexible constancy; and, shutting himself up in his retreat, he exerted such self-command that he restrained even his curiosity from any inquiry concerning the transactions of the world, which he had entirely abandoned. The fencing against the pains and infirmities under which he labored occupied a great part of his time; and during the intervals he employed his leisure either in examining the controversies of theology with which his age had been so much agitated, and which he had hitherto considered only in a political light, or in imitating the works of renowned artists, particularly in mechanics, of which he had always been a great admirer and encourager. He is said to have here discovered a propensity to the new doctrines, and to have frequently dropped hints of this unexpected alteration in his sentiments. Having amused himself with the construction of clocks and watches, he thence remarked how impracticable the object was in which he had so much employed himself during his grandeur; and how impossible that he, who never could frame two machines that would go exactly alike, could ever be able to make all mankind concur in the same belief and opinion. He survived his retreat two years.

The Emperor Charles had, very early in the beginning of his reign, found the difficulty of governing such distant dominions; and he had made his brother Ferdinand be elected King of the Romans, with a view to his inheriting the imperial dignity as well as his German dominions. But having afterwards enlarged his schemes, and formed plans of aggrandizing his family, he regretted that he must dismember such considerable states; and he endeavored to engage Ferdinand, by the most tempting offers and the most earnest solicitations, to yield up his pretensions in favor of Philip. Finding his attempts fruitless, he had resigned the imperial crown with his other dignities; and Ferdinand, according to common form, applied to the pope for his coronation. The arrogant pontiff refused the demand, and pretended that though, on the death of an emperor, he was obliged to crown the prince elected, yet, in the case of a resignation, the right devolved to the holy see, and it belonged to the pope alone to appoint an emperor. The conduct of Paul was in every thing conformable to these lofty pretensions. He thundered always in the ears of all ambassadors that he stood in no need of the assistance of any prince; that he was above all potentates of the earth; that



he would not accustom monarchs to pretend to a familiarity or equality with him; that it belonged to him to alter and regulate kingdoms; that he was successor of those who had deposed kings and emperors; and that, rather than submit to any thing below his dignity, he would set fire to the four corners of the world. He went so far as, at table, in the presence of many persons, and even openly, in a public consistory, to say that he would not admit any kings for his companions; they were all his subjects, and he would hold them under these feet: so saying, he stamped on the ground with his old and infirm limbs; for he was now past fourscore years of age.<sup>30</sup>

The world could not forbear making a comparison between Charles V., a prince who, though educated amidst wars and intrigues of state, had prevented the decline of age, and had descended from the throne in order to set apart an interval for thought and reflection, and a priest who, in the extremity of old age, exulted in his dominion, and, from restless ambition and revenge, was throwing all nations into combustion. Paul had entertained the most inveterate animosity against the house of Austria; and though a truce of five years had been concluded between France and Spain, he excited Henry, by his solicitations, to break it, and promised to assist him in recovering Naples and the dominions to which he laid claim in Italy—a project which had ever proved hurtful to the predecessors of that monarch. He himself engaged in hostilities with the Duke of Alva, viceroy of Naples; and Guise being sent with forces to support him, the renewal of war between the two crowns seemed almost inevitable. Philip, though less warlike than his father, was no less ambitious; and he trusted that, by the intrigues of the cabinet, where, he believed, his caution and secrecy and prudence gave him the superiority, he should be able to subdue all his enemies and extend his authority and dominion. For this reason, as well as from the desire of settling his new empire, he wished to maintain peace with France; but when he found that, without sacrificing his honor, it was impossible for him to overlook the hostile attempts of Henry, he prepared for war with great industry. In order to give himself the more advantage, he was desirous of embarking England in the quarrel; and though the queen was of herself extremely averse to that measure, he hoped that the devoted fondness

<sup>30</sup> Father Paul, lib. 5.

which, notwithstanding repeated instances of his indifference, she still bore to him, would effectually second his applications. Had the matter indeed depended solely on her, she was incapable of resisting her husband's commands; but she had little weight with her council, still less with her people; and her government, which was every day becoming more odious, seemed unable to maintain itself even during the most profound tranquillity, much more if a war were kindled with France, and, what seemed an inevitable consequence, with Scotland, supported by that powerful kingdom.

An act of barbarity was this year exercised in England which, added to many other instances of the same kind, tended to render the government extremely unpopular. Cranmer had long been detained prisoner, but the queen now determined to bring him to punishment; and, in order the more fully to satiate her vengeance, she resolved to punish him for heresy rather than for treason. He was cited by the pope to stand his trial at Rome; and, though he was known to be kept in close custody at Oxford, he was, upon his not appearing, condemned as contumacious. Bonner, Bishop of London, and Thirleby, of Ely, was sent to degrade him; and the former executed the melancholy ceremony with all the joy and exultation which suited his savage nature.<sup>31</sup> The implacable spirit of the queen, not satisfied with the eternal damnation of Cranmer, which she believed inevitable, and with the execution of that dreadful sentence to which he was condemned, prompted her also to seek the ruin of his honor, and the infamy of his name. Persons were employed to attack him, not in the way of disputation, against which he was sufficiently armed, but by flattery, insinuation, and address; by representing the dignities to which his character still entitled him, if he would merit them by a recantation; by giving hopes of long enjoying those powerful friends whom his beneficent disposition had attached to him during the course of his prosperity.<sup>32</sup> Overcome by the fond love of life, terrified by the prospect of those tortures which awaited him, he allowed, in an unguarded hour, the sentiments of nature to prevail over his resolution, and he agreed to subscribe the doctrines of the papal supremacy and of the real presence. The court, equally perfidious and cruel, were determined that this recantation should avail him nothing; and

<sup>31</sup> Mem. of Cranm. p. 375.

<sup>32</sup> Heylin, p. 55. Mem. p. 283.

they sent orders that he should be required to acknowledge his errors in church before the whole people, and that he should thence be immediately carried to execution. Crammer, whether that he had received a secret intimation of their design or had repented of his weakness, surprised the audience by a contrary declaration. He said that he was well apprised of the obedience which he owed to his sovereign and the law, but this duty extended no farther than to submit patiently to their commands, and to bear, without resistance, whatever hardships they should impose upon him; that a superior duty, the duty which he owed to his Maker, obliged him to speak truth on all occasions, and not to relinquish, by a base denial, the holy doctrine which the Supreme Being had revealed to mankind; that there was one miscarriage in his life of which, above all others, he severely repented—the insincere declaration of faith to which he had the weakness to consent, and which the fear of death alone had extorted from him; that he took this opportunity of atoning for his error by a sincere and open recantation, and was willing to seal with his blood that doctrine which he firmly believed to be communicated from Heaven; and that as his hand had erred by betraying his heart, it should first be punished by a severe and just doom, and should first pay the forfeit of its offences. He was thence led to the stake, amidst the insults of the Catholics; and, having now summoned up all the force of his mind, he bore their scorn, as well as the torture of his punishment, with singular fortitude. He stretched out his hand, and, without betraying, either by his countenance or motions, the least sign of weakness, or even of feeling, he held it in the flames till it was entirely consumed. His thoughts seemed wholly occupied with reflections on his former fault, and he called aloud several times, “This hand has offended!” Satisfied with that atonement, he then discovered a serenity in his countenance; and when the fire attacked his body, he seemed to be quite insensible of his outward sufferings, and, by the force of hope and resolution, to have collected his mind altogether within itself, and to repel the fury of the flames. It is pretended that, after his body was consumed, his heart was found entire and untouched amidst the ashes—an event which, as it was the emblem of his constancy, was fondly believed by the zealous Protestants. He was undoubtedly a man of merit; possessed of learning and capacity, and adorned with candor, sincerity, and benefi-

cence, and all those virtues which were fitted to render him useful and amiable in society. His moral qualities procured him universal respect; and the courage of his martyrdom, though he fell short of the rigid inflexibility observed in many, made him the hero of the Protestant party.<sup>33</sup>

After Cranmer's death Cardinal Pole, who had now taken priest's orders, was installed in the see of Canterbury, and was thus, by this office, as well as by his commission of legate, placed at the head of the church of England. But though he was adverse to all sanguinary methods of converting heretics, and deemed the reformation of the clergy the more effectual, as the more laudable, expedient for that purpose,<sup>34</sup> he found his authority too weak to oppose the barbarous and bigoted disposition of the queen and of her counsellors. He himself, he knew, had been suspected of Lutheranism; and as Paul, the reigning pope, was a furious persecutor and his personal enemy, he was prompted, by the modesty of his disposition, to reserve his credit for other occasions in which he had a greater probability of success.<sup>35</sup>

[1557.] The great object of the queen was to engage the nation in the war which was kindled between France and Spain; and Cardinal Pole, with many other counsellors, openly and zealously opposed this measure. Besides insisting on the marriage articles, which provided against such an attempt, they represented the violence of the domestic factions in England and the disordered state of the finances; and they foreboded that the tendency of all these measures was to reduce the kingdom to a total dependence on Spanish counsels. Philip had come to London in order to support his partisans; and he told the queen that if he were not gratified in so reasonable a request, he never more would set foot in England. This declaration extremely heightened her zeal for promoting his interests and overcoming the inflexibility of her council. After employing other menaces of a more violent nature, she threatened to dismiss all of them, and to appoint councillors more obsequious; yet could she not procure a vote for declaring a war with France. At length one Stafford and some other conspirators were detected in a design of surprising Scarborough;<sup>36</sup> and a confession being extorted from them that they had been

<sup>33</sup> Burnet, vol. ii. pp. 331, 332, &c. Godwin, p. 352.

<sup>34</sup> Burnet, vol. ii. pp. 324, 325.

<sup>35</sup> Heylin, pp. 68, 69. Burnet, vol. ii. p. 327.

<sup>36</sup> Heylin, p. 72. Burnet, vol. ii. p. 351. Sir James Melvil's Memoirs.



encouraged by Henry in the attempt, the queen's opportunity prevailed; and it was determined to make this act of hostility, with others of a like secret and doubtful nature, the ground of the quarrel. War was accordingly declared against France, and preparations were everywhere made for attacking that kingdom.

The revenue of England at that time little exceeded three hundred thousand pounds.<sup>37</sup> Any considerable supplies could scarcely be expected from Parliament, considering the present disposition of the nation; and as the war would sensibly diminish that branch arising from the customs, the finances, it was foreseen, would fall short even of the ordinary charges of government, and must still more prove unequal to the expenses of war. But though the queen owed great arrears to all her servants, besides the loans extorted from her subjects, these considerations had no influence with her; and, in order to support her warlike preparations, she continued to levy money in the same arbitrary and violent manner which she had formerly practised. She obliged the city of London to supply her with sixty thousand pounds on her husband's entry; she levied before the legal time the second year's subsidy voted by Parliament; she issued anew many privy seals, by which she procured loans from her people; and having equipped a fleet which she could not victual by reason of the dearth of provisions, she seized all the corn she could find in Suffolk and Norfolk, without paying any price to the owners. By all these expedients, assisted by the power of pressing, she levied an army of ten thousand men, which she sent over to the Low Countries, under the command of the Earl of Pembroke. Meanwhile, in order to prevent any disturbance at home, many of the most considerable gentry were thrown into the Tower; and, lest they should be known, the Spanish practice was followed: they either were carried thither in the night-time or were hoodwinked and muffled by the guards who conducted them.<sup>38</sup>

The King of Spain had assembled an army, which, after the junction of the English, amounted to above sixty thousand men, conducted by Philibert, Duke of Savoy, one of the greatest captains of the age. The constable, Montmorncy, who commanded the French army, had not half the number to oppose to him. The Duke of Savoy, after men-

<sup>37</sup> Rossi, *Successi d'Inghilterra*.

<sup>38</sup> Strype's *Eccles. Memorials*, vol. iii. p. 377.

acing Mariembourg and Rocroy, suddenly sat down before St. Quintin, and, as the place was weak and ill provided with a garrison, he expected in a few days to become master of it. But Admiral Coligny, governor of the province, thinking his honor interested to save so important a fortress, threw himself into St. Quintin with some troops of French and Scottish gendarmerie, and by his exhortations and example animated the soldiers to a vigorous defence. He despatched a messenger to his uncle Montmorency, desiring a supply of men; and the constable approached the place with his whole army, in order to facilitate the entry of these succors. But the Duke of Savoy, falling on the reinforcement, did such execution upon them that not above five hundred got into the place. He next made an attack on the French army, and put them to total rout, killing four thousand men and dispersing the remainder. In this unfortunate action many of the chief nobility of France were either slain or taken prisoners; among the latter was the old constable himself, who, fighting valiantly, and resolute to die rather than survive his defeat, was surrounded by the enemy, and thus fell alive into their hands. The whole kingdom of France was thrown into consternation; Paris was attempted to be fortified in a hurry; and had the Spaniards presently marched thither, it could not have failed to fall into their hands. But Philip was of a cautious temper; and he determined first to take St. Quintin, in order to secure a communication with his own dominions. A very little time, it was expected, would finish this enterprise; but the bravery of Coligny still prolonged the siege seventeen days, which proved the safety of France. Some troops were levied and assembled. Couriers were sent to recall the Duke of Guise and his army from Italy; and the French, having recovered from their first panic, put themselves in a posture of defence. Philip, after taking Ham and Catalet, found the season so far advanced that he could attempt no other enterprise; he broke up his camp, and retired to winter quarters.

But the vigilant activity of Guise, not satisfied with securing the frontiers, prompted him, in the depth of winter, to plan an enterprise which France, during her greatest successes, had always regarded as impracticable and had never thought of undertaking. Calais was in that age deemed an impregnable fortress; and as it was known to be the favorite of the English nation, by whom it could be

easily succored, the recovery of that place by France was considered as totally desperate. But Coligny had remarked that, as the town of Calais was surrounded with marshes which, during the winter, were impassable except over a dike guarded by two castles, St. Agatha and Newnam bridge, the English were of late accustomed, on account of the lowness of their finances, to dismiss a great part of the garrison at the end of autumn, and to recall them in the spring, at which time alone they judged their attendance necessary. On this circumstance he had founded the design of making a sudden attack on Calais. He had caused the place to be secretly viewed by some engineers; and a plan of the whole enterprise being found among his papers, it served, though he himself was made prisoner on the taking of St. Quintin, to suggest the project of that undertaking, and to direct the measures of the Duke of Guise.

[1558.] Several bodies of troops defiled towards the frontiers on various pretences, and the whole, being suddenly assembled, formed an army, with which Guise made an unexpected march towards Calais. At the same time a great number of French ships, being ordered into the Channel under color of cruising on the English, composed a fleet which made an attack by sea on the fortifications. The French assaulted St. Agatha with three thousand arquebusiers; and the garrison, though they made a vigorous fence, were soon obliged to abandon the place and retreat to Newnam bridge. The siege of this latter place was immediately undertaken, and at the same time the fleet battered the risbank, which guarded the entrance of the harbor; and both these castles seemed exposed to imminent danger. The governor, Lord Wentworth, was a brave officer; but finding that the greater part of his weak garrison was inclosed in the castle of Newnam bridge and the risbank, he ordered them to capitulate, and to join him in Calais, which, without their assistance, he was utterly unable to defend. The garrison of Newnam bridge was so happy as to effect this purpose; but that of the risbank could not obtain such favorable conditions, and were obliged to surrender at discretion.

The Duke of Guise, now holding Calais blockaded by sea and land, thought himself secure of succeeding in his enterprise; but, in order to prevent all accident, he delayed not a moment the attack of the place. He planted his batteries against the castle, where he made a large breach; and

having ordered Andelot, Coligny's brother, to drain the fossé, he commanded an assault, which succeeded ; and the French made a lodgment in the castle. On the night following Wentworth attempted to recover his post ; but having lost two hundred men in a furious attack which he made upon it,<sup>39</sup> he found his garrison so weak that he was obliged to capitulate. Ham and Guisnes fell soon after ; and thus the Duke of Guise in eight days, during the depth of winter, made himself master of this strong fortress, that had cost Edward III. a siege of eleven months, at the head of a numerous army which had that very year been victorious in the battle of Crecy. The English had held it above two hundred years ; and, as it gave them an easy entrance into France, it was regarded as the most important possession belonging to the crown. The joy of the French was extreme, as well as the glory acquired by Guise, who, at the time when all Europe imagined France to be sunk by the unfortunate battle of St. Quintin, had, in opposition to the English and their allies, the Spaniards, acquired possession of a place which no former king of France, even during the distractions of the civil wars between the houses of York and Lancaster, had ever ventured to attempt. The English, on the other hand, bereaved of this valuable fortress, murmured loudly against the improvidence of the queen and her council, who, after engaging in a fruitless war for the sake of foreign interests, had thus exposed the nation to so severe a disgrace. A treasury exhausted by expenses and burdened with debts, a people divided and dejected, a sovereign negligent of her people's welfare, were circumstances which, notwithstanding the fair offers and promises of Philip, gave them small hopes of recovering Calais. And as the Scots, instigated by French counsels, began to move on the borders, they were now necessitated rather to look to their defence at home than to think of foreign conquests.

After the peace which, in consequence of King Edward's treaty with Henry, took place between Scotland and England, the queen-dowager, on pretence of visiting her daughter and her relations, made a journey to France, and she carried along with her the Earls of Huntley, Sutherland, Marischal, and many of the principal nobility. Her secret design was to take measures for engaging the Earl of Arran to resign to her the government of the kingdom ; and as her

<sup>39</sup> Thuanus, lib. 20, cap. 2.



brothers, the Duke of Guise, the Cardinal of Lorraine, and the Duke of Aumale, had uncontrolled influence in the court of France, she easily persuaded Henry, and by his authority the Scottish nobles, to enter into her measures. Having also gained Carnegy of Kinnaird, Panter, Bishop of Ross, and Gavin Hamilton, commendator of Kilwinning, three creatures of the governor's, she persuaded him, by their means, to consent to this resignation ;<sup>40</sup> and when everything was thus prepared for her purpose, she took a journey to Scotland, and passed through England in her way thither. Edward received her with great respect and civility ; though he could not forbear attempting to renew the old treaty for his marriage with her daughter—a marriage, he said, so happily calculated for the tranquillity, interest, and security of both kingdoms, and the only means of insuring a durable peace between them. For his part, he added, he never could entertain a cordial amity for any other husband whom she should choose ; nor was it easy for him to forgive a man who, at the same time that he disappointed so natural an alliance, had bereaved him of a bride to whom his affections, from his earliest infancy, had been entirely engaged. The queen-dowager eluded these applications by telling him that if any measures had been taken disagreeable to him, they were entirely owing to the imprudence of the Duke of Somerset, who, instead of employing courtesy, caresses, and gentle offices, the proper means of gaining a young princess, had had recourse to arms and violence, and had constrained the Scottish nobility to send their sovereign into France in order to interest that kingdom in protecting their liberty and independence.<sup>41</sup>

When the queen-dowager arrived in Scotland, she found the governor very unwilling to fulfil his engagements ; and it was not till after many delays that he could be persuaded to resign his authority. But finding that the majority of the young princess was approaching, and that the queen-dowager had gained the affections of all the principal nobility, he thought it more prudent to submit ; and having stipulated that he should be declared next heir to the crown, and should be freed from giving any account of his past administration, he placed her in possession of the power, and she thenceforth assumed the name of regent.<sup>42</sup> It was a usual saying of this princess that provided she could render

<sup>40</sup> Buchanan, lib. 14. Keith, p. 56. Spotswood, p. 92.

<sup>41</sup> Keith, p. 50.

<sup>42</sup> April 12th, 1554.

her friends happy, and could insure to herself a good reputation, she was entirely indifferent what befell her; and though this sentiment is greatly censured by the zealous reformers,<sup>43</sup> as being founded wholly on secular motives, it discovers a mind well calculated for the government of kingdoms. D'Oisel, a Frenchman celebrated for capacity, had attended her as ambassador from Henry, but in reality to assist her with his counsels in so delicate an undertaking as the administration of Scotland; and this man had formed a scheme for laying a general tax on the kingdom, in order to support a standing military force, which might at once repel the inroads of foreign enemies and check the turbulence of the Scottish nobles. But though some of the courtiers were gained over to this project, it gave great and general discontent to the nation; and the queen-regent, after ingenuously confessing that it would prove pernicious to the kingdom, had the prudence to desist from it, and to trust entirely for her security to the good-will and affections of her subjects.<sup>44</sup>

This laudable purpose seemed to be the chief object of her administration; yet was she sometimes drawn from it by her connections with France, and by the influence which her brothers had acquired over her. When Mary commenced hostilities against that kingdom, Henry required the queen-regent to take part in the quarrel; and she summoned a convention of states at Newbottle, and requested them to concur in a declaration of war against England. The Scottish nobles, who were become as jealous of French as the English were of Spanish influence, refused their assent; and the queen was obliged to have recourse to strataagem in order to effect her purpose. She ordered D'Oisel to begin some fortifications at Eyemouth, a place which had been dismantled by the last treaty with Edward; and when the garrison of Berwick, as she foresaw, made an inroad to prevent the undertaking, she effectually employed this pretence to inflame the Scottish nation, and to engage them in hostilities against England.<sup>45</sup> The enterprises, however, of the Scots, proceeded no farther than some inroads on the borders; when D'Oisel, of himself, conducted artillery and troops to besiege the castle of Werke, he was recalled, and sharply rebuked by the council.<sup>46</sup>

In order to connect Scotland more closely with France,

<sup>43</sup> Knox, p. 89.

<sup>44</sup> Keith, p. 70. Buchanan, lib. 16.

<sup>45</sup> Buchanan, lib. 16. Thuanus, lib. 19, c. 7.

<sup>46</sup> Knox, p. 93.

and to increase the influence of the latter kingdom, it was thought proper by Henry to celebrate the marriage between the young queen and the dauphin; and a deputation was sent by the Scottish Parliament to assist at the ceremony, and to settle the terms of the contract.

The close alliance between France and Scotland threatened very nearly the repose and security of Mary; and it was foreseen that, though the factions and disorders which might naturally be expected in the Scottish government, during the absence of the sovereign, would make its power less formidable, that kingdom would, at least, afford the French a means of invading England. The queen, therefore, found it necessary to summon a Parliament, and to demand of them some supplies to her exhausted exchequer. As such an emergency usually gives great advantage to the people, and as the Parliaments, during this reign, had shown that, where the liberty and independence of the kingdom were menaced with imminent danger, they were not entirely overawed by the court, we shall naturally expect that the late arbitrary methods of extorting money should at least be censured, and perhaps some remedy be for the future provided against them. The Commons, however, without making any reflections on the past, voted, besides a fifteenth, a subsidy of four shillings in the pound on land, and two shillings and eightpence on goods. The clergy granted eight shillings in the pound, payable, as was also the subsidy of the laity, in four years, by equal portions.

The Parliament also passed an act confirming all the sales and grants of crown lands which either were already made by the queen or should be made during the seven ensuing years. It was easy to foresee that, in Mary's present disposition and situation, this power would be followed by a great alienation of the royal demesnes; and nothing could be more contrary to the principles of good government than to establish a prince with very extensive authority, yet permit him to be reduced to beggary. This act met with opposition in the House of Commons. One Copley expressed his fears lest the queen, under color of the power there granted, might alter the succession, and alienate the crown from the lawful heir; but his words were thought *irreverent* to her majesty: he was committed to the custody of the serjeant-at-arms; and though he expressed sorrow for his offence, he was not released till the queen was applied to for his pardon.

The English nation, during this whole reign, were under great apprehensions with regard not only to the succession, but the life of the Lady Elizabeth. The violent hatred which the queen bore to her broke out on every occasion; and it required all the authority of Philip, as well as her own great prudence, to prevent the fatal effects of it. The princess retired into the country; and knowing that she was surrounded with spies, she passed her time wholly in reading and study, intermeddled in no business, and saw very little company. While she remained in this situation, which for the present was melancholy, but which prepared her mind for those great actions by which her life was afterwards so much distinguished, proposals of marriage were made to her by the Swedish ambassador, in his master's name. As her first question was whether the queen had been informed of these proposals, the ambassador told her that his master thought, as he was a gentleman, it was his duty first to make his addresses to herself; and having obtained her consent, he would next, as a king, apply to her sister. But the princess would allow him to proceed no farther; and the queen, after thanking her for this instance of duty, desired to know how she stood affected to the Swedish proposals. Elizabeth, though exposed to many present dangers and mortifications, had the magnanimity to reserve herself for better fortune; and she covered her refusal with professions of a passionate attachment to a single life, which, she said, she infinitely preferred before any other.<sup>47</sup> The princess showed like prudence in concealing her sentiments of religion, in complying with the present modes of worship, and in eluding all questions with regard to that delicate subject.<sup>48</sup>

The money granted by Parliament enabled the queen to fit out a fleet of a hundred and forty sail, which, being joined by thirty Flemish ships, and carrying six thousand land

<sup>47</sup> Burnet, vol. ii. Collect. No. 37.

<sup>48</sup> The common net at that time, says Sir Richard Baker, for catching of Protestants was the real presence; and this net was used to catch the Lady Elizabeth; for being asked, one time, what she thought of the words of Christ, "This is my body," whether she thought it the true body of Christ that was in the sacrament, it is said that, after some pausing, she thus answered:

"Christ was the word that spake it,  
He took the bread and brake it;  
And what the word did make it,  
That I believe, and take it."

Which, though it may seem but a slight expression, yet hath it more solidness than at first sight appears; at least it served her turn, at that time, to escape the net, which by a direct answer she could not have done.—Baker's Chronicle, p. 320.



forces on board, was sent to make an attempt on the coast of Brittany. The fleet was commanded by Lord Clinton; the land forces by the Earls of Huntingdon and Rutland. But the equipment of the fleet and army was so dilatory that the French got intelligence of the design, and were prepared to receive them. The English found Brest so well guarded as to render an attempt on that place impracticable; but, landing at Conquet, they plundered and burnt the town, with some adjacent villages, and were proceeding to commit greater disorders, when Kersimon, a Breton gentleman, at the head of some militia, fell upon them, put them to rout, and drove them to their ships with considerable loss. But a small squadron of ten English ships had an opportunity of amply revenging this disgrace upon the French. The Mareschal de Thermes, governor of Calais, had made an irruption into Flanders with an army of fourteen thousand men; and having forced a passage over the river Aa, had taken Dunkirk and Berg St. Winoc, and had advanced as far as Newport; but, Count Egmont coming suddenly upon him with superior forces, he was obliged to retreat; and being overtaken by the Spaniards near Gravelines, and finding a battle inevitable, he chose very skilfully his ground for the engagement. He fortified his left wing with all the precautions possible, and posted his right along the river Aa, which he reasonably thought gave him full security from that quarter. But the English ships, which were accidentally on the coast, being drawn by the noise of the firing, sailed up the river, and, flanking the French, did such execution by their artillery that they put them to flight; and the Spaniards gained a complete victory.<sup>49</sup>

Meanwhile the principal army of France, under the Duke of Guise, and that of Spain, under the Duke of Savoy, approached each other on the frontiers of Picardy; and as the two kings had come into their respective camps attended by the flower of their nobility, men expected that some great and important event would follow from the emulation of these warlike nations. But Philip, though actuated by the ambition, possessed not the enterprising genius, of a conqueror; and he was willing, notwithstanding the superiority of his numbers and the two great victories which he had gained at St. Quintin and Gravelines, to put a period to the war by treaty. Negotiations were entered into for that purpose; and as the terms offered by the two monarchs were

<sup>49</sup> Hollingshed, p. 1150.

somewhat wide of each other, the armies were put into winter quarters till the princes could come to better agreement. Among other conditions, Henry demanded the restitution of Navarre to its lawful owner; Philip, that of Calais and its territory to England; but in the midst of these negotiations, news arrived of the death of Mary; and Philip, no longer connected with England, began to relax in his firmness on that capital article. This was the only circumstance that could have made the death of that princess be regretted by the nation.

Mary had long been in a declining state of health; and having mistaken her dropsy for a pregnancy, she had made use of an improper regimen, and her malady daily augmented. Every reflection now tormented her. The consciousness of being hated by her subjects, the prospect of Elizabeth's succession, apprehensions of the danger to which the Catholic religion stood exposed, dejection for the loss of Calais, concern for the ill state of her affairs, and, above all, anxiety for the absence of her husband, who, she knew, intended soon to depart for Spain, and to settle there during the remainder of his life—all these melancholy reflections preyed upon her mind, and threw her into a lingering fever, of which she died, after a short and unfortunate reign of five years, four months, and eleven days.

It is not necessary to employ many words in drawing the character of this princess. She possessed few qualities either estimable or amiable; and her person was as little engaging as her behavior and address. Obstinacy, bigotry, violence, cruelty, malignity, revenge, tyranny—every circumstance of her character took a tincture from her bad temper and narrow understanding. And amidst that complication of vices which entered into her composition we shall scarcely find any virtue but sincerity, a quality which she seems to have maintained through her whole life; except in the beginning of her reign, when the necessity of her affairs obliged her to make some promises to the Protestants which she certainly never intended to perform. But in these cases a weak, bigoted woman, under the government of priests, easily finds casuistry sufficient to justify to herself the violation of a promise. She appears also, as well as her father, to have been susceptible of some attachments of friendship, and that without the caprice and inconstancy which were so remarkable in the conduct of that monarch. To which we may add that, in many circumstances of her

life, she gave indications of resolution and vigor of mind, a quality which seems to have been inherent in her family.

Cardinal Pole had long been sickly from an intermitting fever; and he died the same day with the queen, about sixteen hours after her. The benign character of this prelate, the modesty and humanity of his deportment, made him be universally beloved; insomuch that, in a nation where the most furious persecution was carried on, and where the most violent religious factions prevailed, entire justice, even by most of the reformers, has been done to his merit. The haughty pontiff, Paul IV., had entertained some prejudices against him; and when England declared war against Henry, the ally of that pope, he seized the opportunity of revenge, and, revoking Pole's legatine commission, appointed in his room Cardinal Peyte, an Observantine friar and confessor to the queen. But Mary would never permit the new legate to act upon the commission; and Paul was afterwards obliged to restore Cardinal Pole to his authority.

There occur few general remarks, besides what have already been made in the course of our narration, with regard to the general state of the kingdom during this reign. The naval power of England was then so inconsiderable that, fourteen thousand pounds being ordered to be applied to the fleet, both for repairing and victualling it, it was computed that ten thousand pounds a year would afterwards answer all necessary charges.<sup>50</sup> The arbitrary proceedings of the queen above mentioned, joined to many monopolies granted by this princess, as well as by her father, checked the growth of commerce; and so much the more, as all other princes in Europe either were not permitted or did not find it necessary to proceed in so tyrannical a manner. Acts of Parliament, both in the last reign and in the beginning of the present, had laid the same impositions on the merchants of the "Stilyard" as on other aliens; yet the queen, immediately after her marriage, complied with the solicitations of the emperor, and, by her prerogative, suspended those laws.<sup>51</sup> Nobody in that age pretended to question this exercise of prerogative. The historians are entirely silent with regard to it, and it is only by the collection of public papers that it is handed down to us.

An absurd law had been made in the preceding reign, by which every one was prohibited from making cloth unless

<sup>50</sup> Burnet, vol. iii. p. 259.  
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<sup>51</sup> Rymer, vol. xv. p. 364.

he had served an apprenticeship of seven years. The law was repealed in the first year of the queen; and this plain reason given, that it had occasioned the decay of the woollen manufacture and had ruined several towns.<sup>52</sup> It is strange that Edward's law should have been revived during the reign of Elizabeth; and still more strange that it should still subsist.

A passage to Archangel had been discovered by the English during the last reign, and a beneficial trade with Muscovy had been established. A solemn embassy was sent by the czar to Queen Mary. The ambassadors were shipwrecked on the coast of Scotland; but being hospitably entertained there, they proceeded on the journey, and were received at London with great pomp and solemnity.<sup>53</sup> This seems to have been the first intercourse which that empire had with any of the Western potentates of Europe.

A law was passed in this reign<sup>54</sup> by which the number of horses, arms, and furniture was fixed which each person, according to the extent of his property, should be provided with for the defence of the kingdom. A man of a thousand pounds a year, for instance, was obliged to maintain at his own charge six horses fit for demi-lances, of which three at least to be furnished with sufficient harness, steel saddles, and weapons proper for the demi-lances, and ten horses fit for light horsemen, with furniture and weapons proper for them; he was obliged to have forty corselets furnished; fifty almain revets, or, instead of them, forty coats of plate, corselets or brigandines furnished; forty pikes, thirty long bows, thirty sheaves of arrows, thirty steel caps or skulls, twenty black bills or halberds, twenty harquebuts, and twenty morions or sallets. We may remark that a man of a thousand marks of stock was rated equal to one of two hundred pounds a year—a proof that few or none at that time lived on their stock in money, and that great profits were made by the merchants in the course of trade. There is no class above a thousand pounds a year.

We may form a notion of the little progress made in arts and refinement about this time from one circumstance: a man of no less rank than the comptroller of Edward VI.'s household paid only thirty shillings a year of our present money for his house in Channel-row;<sup>55</sup> yet labor and provisions, and consequently houses, were only about a third of

<sup>52</sup> 1 Marl. Parl. 2, cap. 7.

<sup>54</sup> 4 and 5 Phil. and Mar. cap. 2.

<sup>53</sup> Hollingshed, p. 732. Heylin, p. 71.

<sup>55</sup> Nicholson's Historical Library.



the present price. Erasmus ascribes the frequent plagues in England to the nastiness and dirt and slovenly habits among the people. "The floors," says he, "are commonly of clay, strewed with rushes, under which lies unmolested an ancient collection of beer, grease, fragments, bones, spittle, excrements of dogs and cats, and every thing that is nasty."<sup>56</sup>

Hollingshed, who lived in Queen Elizabeth's reign, gives a very curious account of the plain, or rather rude, way of living of the preceding generation. There scarcely was a chimney to the houses, even in considerable towns; the fire was kindled by the wall, and the smoke sought its way out at the roof, or door, or windows; the houses were nothing but wattling plastered over with clay; the people slept on straw pallets, and had a good round log under their head for a pillow; and almost all the furniture and utensils were of wood.<sup>57</sup>

In this reign we find the first general law with regard to highways, which were appointed to be repaired by parish duty all over England.<sup>58</sup>

<sup>56</sup> Eras. Epist. 432.

<sup>57</sup> See note [I] at the end of the volume.    <sup>58</sup> 2 and 3 Phil. and Mar. cap.

## CHAPTER XXXVIII.

## ELIZABETH.

QUEEN'S POPULARITY.—RE-ESTABLISHMENT OF THE PROTESTANT RELIGION.—A PARLIAMENT.—PEACE WITH FRANCE.—DISGUST BETWEEN THE QUEEN AND MARY QUEEN OF SCOTS.—AFFAIRS OF SCOTLAND.—REFORMATION IN SCOTLAND.—CIVIL WARS IN SCOTLAND.—INTERPOSAL OF THE QUEEN IN THE AFFAIRS OF SCOTLAND.—SETTLEMENT OF SCOTLAND.—FRENCH AFFAIRS.—ARRIVAL OF MARY IN SCOTLAND.—BIGOTRY OF THE SCOTCH REFORMERS.—WISE GOVERNMENT OF ELIZABETH.

IN a nation so divided as the English it could scarcely be expected that the death of one sovereign and the accession of another, who was generally believed to have embraced opposite principles to those which prevailed, could be the object of universal satisfaction ; yet so much were men displeased with the present conduct of affairs, and such apprehensions were entertained of futurity, that the people, overlooking their theological disputes, expressed a general and unfeigned joy that the sceptre had passed into the hand of Elizabeth. That princess had discovered great prudence in her conduct during the reign of her sister ; and as men were sensible of the imminent danger to which she was every moment exposed, compassion towards her situation and concern for her safety had rendered her, to an uncommon degree, the favorite of the nation. A Parliament had been assembled a few days before Mary's death ; and when Heathe, Archbishop of York, then chancellor, notified to them that event, scarcely an interval of regret appeared ; and the two Houses immediately resounded with the joyful acclamations of "God save Queen Elizabeth ! Long and happily may she reign !" The people, less actuated by faction, and less influenced by private views, expressed a joy still more general and hearty on her proclamation ; and the auspicious commencement of this reign prognosticated that

felicity and glory which, during its whole course, so uniformly attended it.<sup>1</sup>

Elizabeth was at Hatfield when she heard of her sister's death; and after a few days she went thence to London, through crowds of people who strove with each other in giving her the strongest testimony of their affection. On her entrance into the Tower, she could not forbear reflecting on the great difference between her present fortune and that which a few years before had attended her, when she was conducted to that place as a prisoner, and lay there exposed to all the bigoted malignity of her enemies. She fell on her knees, and expressed her thanks to Heaven for the deliverance which the Almighty had granted her from her bloody persecutors—a deliverance, she said, no less miraculous than that which Daniel had received from the den of lions. This act of pious gratitude seems to have been the last circumstance in which she remembered any past hardships and injuries. With a prudence and magnanimity truly laudable, she buried all offences in oblivion, and received with affability even those who had acted with the greatest malevolence against her. Sir Harry Bennifield himself, to whose custody she had been committed, and who had treated her with severity, never felt, during the whole course of her reign, any effects of her resentment.<sup>2</sup> Yet was not the gracious reception which she gave indiscriminating and undistinguishing. When the bishops came in a body to make their obeisance to her, she expressed to all of them sentiments of regard; except to Bonner, from whom she turned aside as from a man polluted with blood, who was a just object of horror to every heart susceptible of humanity.<sup>3</sup>

After employing a few days in ordering her domestic affairs, Elizabeth notified to foreign courts her sister's death and her own accession. She sent Lord Cobham to the Low Countries, where Philip then resided; and she took care to express to that monarch her gratitude for the protection which he had afforded her, and her desire of persevering in that friendship which had so happily commenced between them. Philip, who had long foreseen this event, and who still hoped, by means of Elizabeth, to obtain that dominion over England of which he had failed in espousing Mary, immediately despatched orders to the Duke of Feria, his ambassador at London, to make proposals of marriage to the queen; and he offered to procure from Rome a dispensation

<sup>1</sup> Burnet, vol. ii. p. 373.

<sup>2</sup> Burnet, vol. ii. p. 374.

<sup>3</sup> Ibid. Heylin, p. 102.

for that purpose. But Elizabeth soon came to the resolution of declining the proposal. She saw that the nation had entertained an extreme aversion to the Spanish alliance during her sister's reign, and that one great cause of the popularity which she herself enjoyed was the prospect of being freed, by her means, from the danger of foreign subjection. She was sensible that her affinity with Philip was exactly similar to that of her father with Catherine of Arragon; and that her marrying that monarch was, in effect, declaring herself illegitimate, and incapable of succeeding to the throne. And though the power of the Spanish monarchy might still be sufficient, in opposition to all pretenders, to support her title, her masculine spirit disdained such precarious dominion, which, as it would depend solely on the power of another, must be exercised according to his inclinations.<sup>4</sup> But while these views prevented her from entertaining any thoughts of a marriage with Philip, she gave him an obliging, though evasive, answer; and he still retained such hopes of success that he sent a messenger to Rome with orders to solicit the dispensation.

The queen, too, on her sister's death, had written to Sir Edward Carne, the English ambassador at Rome, to notify her accession to the pope; but the precipitate nature of Paul broke through all the cautious measures concerted by this young princess. He told Carne that England was a fief of the holy see; and it was great temerity in Elizabeth to have assumed, without his participation, the title and authority of queen: that, being illegitimate, she could not possibly inherit that kingdom; nor could he annul the sentence pronounced by Clement VII. and Paul III. with regard to Henry's marriage: that, were he to proceed with rigor, he should punish this criminal invasion of his rights by rejecting all her applications; but, being willing to treat her with paternal indulgence, he would still keep the door of grace open to her: and that, if she would renounce all pretensions to the crown, and submit entirely to his will, she should experience the utmost lenity compatible with the dignity of the apostolic see.<sup>5</sup> When this answer was reported to Elizabeth, she was astonished at the character of that aged pontiff; and having recalled her ambassador, she continued, with more determined resolution, to pursue those measures which already she had secretly embraced.

<sup>4</sup> Camden in Kennet, p. 370. Burnet, vol. ii. p. 375.

<sup>5</sup> Father Paul, lib. 5.



The queen, not to alarm the partisans of the Catholic religion, had retained eleven of her sister's counsellors; but, in order to balance their authority, she added eight more who were known to be inclined to the Protestant communion: the Marquis of Northampton, the Earl of Bedford, Sir Thomas Parry, Sir Edward Rogers, Sir Ambrose Cave, Sir Francis Knolles, Sir Nicholas Bacon, whom she created lord keeper, and Sir William Cecil, secretary of state.<sup>6</sup> With these counsellors, particularly Cecil, she frequently deliberated concerning the expediency of restoring the Protestant religion, and the means of executing that great enterprise. Cecil told her that the greater part of the nation had, ever since her father's reign, inclined to the Reformation; and though her sister had constrained them to profess the ancient faith, the cruelties exercised by her ministers had still more alienated their affections from it: that happily the interests of the sovereign here concurred with the inclinations of the people; nor was her title to the crown compatible with the authority of the Roman pontiff: that a sentence so solemnly pronounced by two popes against her mother's marriage could not possibly be recalled without inflicting a mortal wound on the credit of the see of Rome; and even if she were allowed to retain the crown, it would only be on an uncertain and dependent footing: that this circumstance alone counterbalanced all dangers whatsoever; and these dangers themselves, if narrowly examined, would be found very little formidable: that the curses and execrations of the Romish church, when not seconded by military force, were, in the present age, more an object of ridicule than of terror, and had now as little influence in this world as in the next: that though the bigotry or ambition of Henry or Philip might incline them to execute a sentence of excommunication against her, their interests were so incompatible that they never could concur in any plan of operations; and the enmity of the one would always insure to her the friendship of the other: that, if they encouraged the discontents of her Catholic subjects, their dominions also abounded with Protestants, and it would be easy to retaliate upon them: that even such of the English as seemed at present zealously attached to the Catholic faith would, most of them, embrace the religion of their new sovereign; and the nation had, of late, been so much accustomed to these revolutions that men had lost all idea of truth and falsehood in such subjects:

<sup>6</sup> Strype's Ann. vol. i. p. 5.

that the authority of Henry VIII., so highly raised by many concurring circumstances, first inured the people to this submissive deference; and it was the less difficult for succeeding princes to continue the nation in a track to which it had so long been accustomed: and that it would be easy for her, by bestowing on Protestants all preferment in civil offices and the militia, the church, and the universities, both to insure her own authority and to render her religion entirely predominant.<sup>7</sup>

The education of Elizabeth, as well as her interest, led her to favor the Reformation; and she remained not long in suspense with regard to the party which she should embrace. But though determined in her own mind, she resolved to proceed by gradual and secure steps, and not to imitate the example of Mary in encouraging the bigots of her party to make immediately a violent invasion on the established religion.<sup>8</sup> She thought it requisite, however, to discover such symptoms of her intentions as might give encouragement to the Protestants, so much depressed by the late violent persecutions. She immediately recalled all the exiles, and gave liberty to the prisoners who were confined on account of religion. We are told of a pleasantry of one Rainsford, on this occasion, who said to the queen that he had a petition to present her in behalf of other prisoners, called Matthew, Mark, Luke, and John; she readily replied that it behooved her first to consult the prisoners themselves, and to learn of them whether they desired that liberty which he demanded for them.<sup>9</sup>

Elizabeth also proceeded to exert in favor of the reformers some acts of power which were authorized by the extent of royal prerogative during that age. Finding that the Protestant teachers, irritated by persecution, broke out in a furious attack on the ancient superstition, and that the Romanists replied with no less zeal and acrimony, she published a proclamation by which she inhibited all preaching without a special license;<sup>10</sup> and though she dispensed with these orders in favor of some preachers of her own sect, she took care that they should be the most calm and moderate of the party. She also suspended the laws so far as to order a great part of the service, the litany, the Lord's prayer, the creed, and the gospels, to be read in English. And, having

<sup>7</sup> Burnet, vol. ii. p. 377. Camden, p. 370.

<sup>8</sup> Burnet, vol. ii. p. 378. Camden, p. 371.

<sup>9</sup> Heylin, p. 103.

<sup>10</sup> Heylin, p. 104. Strype, vol. i. p. 41.

first published injunctions that all the churches should conform themselves to the practice of her own chapel, she forbade the host to be any more elevated in her presence—an innovation which, however frivolous it may appear, implied the most material consequences.<sup>11</sup>

These declarations of her intentions, concurring with preceding suspicions, made the bishops foresee with certainty a revolution in religion. They therefore refused to officiate at her coronation; and it was with some difficulty that the Bishop of Carlisle was at last prevailed on to perform the ceremony. When she was conducted through London, amidst the joyful acclamations of subjects, a boy, who personated Truth, was let down from one of the triumphal arches, and presented to her a copy of the Bible. She received the book with the most gracious deportment, placed it next her bosom, and declared that, amidst all the costly testimonials which the city had that day given her of their attachment, this present was by far the most precious and most acceptable.<sup>12</sup> Such were the innocent artifices by which Elizabeth insinuated herself into the affections of her subjects. Open in her address, gracious and affable in all public appearances, she rejoiced in the concourse of her subjects, entered into all their pleasures and amusements, and, without departing from her dignity, which she knew well how to preserve, she acquired a popularity beyond what any of her predecessors or successors ever could attain. Her own sex exulted to see a woman hold the reins of empire with such prudence and fortitude; and while a young princess of twenty-five years (for that was her age at her accession), who possessed all the graces and insinuation, though not all the beauty, of her sex, courted the affections of individuals by her civilities, of the public by her services, her authority, though corroborated by the strictest bands of law and religion, appeared to be derived entirely from the choice and inclination of the people.

A sovereign of this disposition was not likely to offend her subjects by any useless or violent exertions of power; and Elizabeth, though she threw out such hints as encouraged the Protestants, delayed the entire change of religion till the meeting of the Parliament, which was summoned to assemble. The elections had gone entirely against the Catholics, who seemed not indeed to have made any great struggle

<sup>11</sup> Camden, p. 371. Heylin, p. 101. Strype, vol. i. p. 54. Stowe, 35.

<sup>12</sup> Burnet, vol. ii. p. 380. Strype, vol. i. pp. 692.

for the superiority; <sup>13</sup> and the Houses met in a disposition of gratifying the queen in every particular which she could desire of them. They began the session with an unanimous declaration "that Queen Elizabeth was, and ought to be, as well by the word of God as the common and statute laws of the realm, the lawful, undoubted, and true heir to the crown, lawfully descended from the blood-royal, according to the order of succession settled in the 35th of Henry VIII." <sup>14</sup> This act of recognition was probably dictated by the queen herself and her ministers; and she showed her magnanimity, as well as moderation, in the terms which she employed on that occasion. She followed not Mary's practice in declaring the validity of her mother's marriage, or in expressly repealing the act formerly made against her own legitimacy: she knew that this attempt must be attended with reflections on her father's memory, and on the birth of her deceased sister; and as all the world was sensible that Henry's divorce from Anne Boleyn was merely the effect of his usual violence and caprice, she scorned to found her title on any act of an assembly which had too much prostituted its authority by its former variable, servile, and iniquitous decisions. Satisfied, therefore, in the general opinion entertained with regard to this fact, which appeared the more undoubted the less anxiety she discovered in fortifying it by votes and inquiries, she took possession of the throne, both as her birth-right and as insured to her by former acts of Parliament; and she never appeared anxious to distinguish these titles. <sup>15</sup>

The first bill brought into Parliament, with a view of trying their disposition on the head of religion, was that for suppressing the monasteries lately erected, and for restoring the tenths and first-fruits to the queen. This point being gained without much difficulty, a bill was next introduced annexing the supremacy to the crown; and though the queen was there denominated *governess*, not *head*, of the church, it conveyed the same extensive power which, under the latter title, had been exercised by her father and brother. All the bishops who were present in the Upper House strenuously opposed this law: and as they possessed more learning than the temporal peers, they triumphed in the debate; but the

<sup>13</sup> Notwithstanding the bias of the nation towards the Protestant sect, it appears that some violence, at least according to our present ideas, was used in these elections: five candidates were nominated by the court to each borough, and three to each county; and by the sheriff's authority, the members were chosen from among these candidates. See *State Papers collected by Edward, Earl of Clarendon*, p. 92.

<sup>15</sup> Camden, p. 372. Heylin, pp. 107, 108.

<sup>14</sup> 1 Eliz. cap. 3.



majority of voices in that House, as well as among the Commons, was against them. By this act the crown, without the concurrence either of the Parliament or even of the convocation, was vested with the whole spiritual power; might repress all heresies, might establish or repeal all canons, might alter every point of discipline, and might ordain or abolish any religious rite or ceremony.<sup>16</sup> In determining heresy, the sovereign was only limited (if that could be called limitation) to such doctrines as had been adjudged heresy by the authority of the scripture, by the first four general councils, or by any general council which followed the scripture as their rule, or to such other doctrines as should hereafter be denominated heresy by the Parliament and convocation. In order to exercise this authority, the queen, by a clause of the act, was empowered to name commissioners, either laymen or clergymen, as she should think proper; and on this clause was afterwards founded the court of ecclesiastical commission, which assumed large discretionary, not to say arbitrary, powers, totally incompatible with any exact boundaries in the constitution. Their proceedings, indeed, were only consistent with absolute monarchy, but were entirely suitable to the genius of the act on which they were established—an act that at once gave the crown alone all the power which had formerly been claimed by the popes, but which even these usurping prelates had never been able fully to exercise without some concurrence of the national clergy.

Whoever refused to take an oath acknowledging the queen's supremacy was incapacitated from holding any office; whoever denied the supremacy, or attempted to deprive the queen of that prerogative, forfeited, for the first offence, all his goods and chattels; for the second, was subjected to the penalty of a *præmunire*; but the third offence was declared treason. These punishments, however severe, were less rigorous than those which were formerly, during the reigns of her father and brother, inflicted in like cases.

A law was passed confirming all the statutes enacted in King Edward's time with regard to religion;<sup>17</sup> the nomination of bishops was given to the crown without any election of the chapters; the queen was empowered, on the vacancy of any see, to seize all the temporalities, and to bestow on the bishop-elect an equivalent in the impropriations belong-

<sup>16</sup> 1 Eliz. cap. 1. This last power was anew recognized in the Act of Uniformity, 1 Eliz. cap. 2.

<sup>17</sup> 1 Eliz. cap. 2.

ing to the crown. This pretended equivalent was commonly much inferior in value; and thus the queen, amidst all her concern for religion, followed the example of the preceding reformers in committing depredations on the ecclesiastical revenues.

The bishops and all incumbents were prohibited from alienating their revenues, and from letting leases longer than twenty-one years or three lives. This law seemed to be meant for securing the property of the church; but as an exception was left in favor of the crown, great abuses still prevailed. It was usual for the courtiers during this reign to make an agreement with a bishop or incumbent, and to procure a fictitious alienation to the queen, who afterwards transferred the lands to the person agreed on.<sup>18</sup> This method of pillaging the church was not remedied till the beginning of James I. The present depression of the clergy exposed them to all injuries; and the laity never stopped till they had reduced the church to such poverty that her plunder was no longer a compensation for the odium incurred by it.

A solemn and public disputation was held during this session, in presence of Lord Keeper Bacon, between the divines of the Protestant and those of the Catholic communion. The champions appointed to defend the religion of the sovereign were, as in all former instances, entirely triumphant; and the popish disputants, being pronounced refractory and obstinate, were even punished by imprisonment.<sup>19</sup> Emboldened by this victory, the Protestants ventured on the last and most important step, and brought into Parliament a bill<sup>20</sup> for abolishing the mass and re-establishing the liturgy of King Edward. Penalties were enacted as well against those who departed from this mode of worship as against those who absented themselves from the church and the sacraments. And thus, in one session, without any violence, tumult, or clamor, was the whole system of religion altered, on the very commencement of a reign, and by the will of a young woman whose title to the crown was by many thought liable to great objections—an event which, though it may appear surprising to men in the present age, was everywhere expected, on the first intelligence of Elizabeth's accession.

The Commons also made a sacrifice to the queen more difficult to obtain than that of any articles of faith: they

<sup>18</sup> Strype, vol. i. p. 79.

<sup>19</sup> Strype, vol. i. p. 95.

<sup>20</sup> 1 Eliz. cap. 2.

voted a subsidy of four shillings in the pound on land, and two shillings and eightpence on movables, together with two fifteenths.<sup>21</sup> The House, in no instance, departed from the most respectful deference and complaisance towards the queen. Even the importunate address which they made her, on the conclusion of the session, to fix her choice of a husband could not, they supposed, be very disagreeable to one of her sex and age. The address was couched in the most respectful expressions, yet met with a refusal from the queen. She told the speaker that, as the application from the House was conceived in general terms, only recommending marriage, without pretending to direct her choice of a husband, she could not take offence at the address, or regard it otherwise than as a new instance of their affectionate attachment to her; that any farther interposition on their part would have ill become either them to make as subjects or her to bear as an independent princess; that, even while she was a private person, and exposed to much danger, she had always declined that engagement, which she regarded as an incumbrance; much more at present would she persevere in this sentiment, when the charge of a great kingdom was committed to her, and her life ought to be entirely devoted to promoting the interests of religion and the happiness of her subjects; that as England was her husband, wedded to her by this pledge (and here she showed her finger with the same gold ring upon it with which she had solemnly betrothed herself to the kingdom at her inauguration), so all Englishmen were her children; and while she was employed in rearing or governing such a family, she could not deem herself barren or her life useless and unprofitable; that if she ever entertained thoughts of changing her condition, the care of her subjects' welfare would still be uppermost in her thoughts; but should she live and die a virgin, she doubted not but Divine Providence, seconded by their counsels and her own measures, would be able to prevent all dispute with regard to the succession, and secure them a sovereign who, perhaps better than her own issue, would imitate her example in loving and cherishing her people; and that, for her part, she desired that no higher character or fairer remembrance of her should be transmitted to posterity than to have this inscription engraved on her tombstone when she should pay the last debt to nature: "Here lies Elizabeth, who lived and died a maiden queen."<sup>22</sup>

<sup>21</sup> See note [K] at the end of the volume.

<sup>22</sup> Camden, p. 375. Sir Simon D'Ewes.

[1559.] After the prorogation of the Parliament<sup>23</sup> the laws enacted with regard to religion were put in execution, and met with little opposition from any quarter. The liturgy was again introduced in the vulgar tongue, and the oath of supremacy was tendered to the clergy. The number of bishops had been reduced to fourteen by a sickly season which preceded; and all these, except the bishop of Landaff, having refused compliance, were degraded from their sees; but of the inferior clergy throughout all England, where there are near ten thousand parishes, only eighty rectors and vicars, fifty prebendaries, fifteen heads of colleges, twelve archdeacons, and as many deans sacrificed their livings to their religious principles.<sup>24</sup> Those in high ecclesiastic stations, being exposed to the eyes of the public, seemed chiefly to have placed a point of honor in their perseverance; but, on the whole, the Protestants, in the former change introduced by Mary, appear to have been much more rigid and conscientious. Though the Catholic religion, adapting itself to the senses, and enjoying observances which enter into the common train of life, does at present lay faster hold on the mind than the reformed, which, being chiefly spiritual, resembles more a system of metaphysics, yet was the proportion of zeal, as well as of knowledge, during the first ages after the Reformation much greater on the side of the Protestants. The Catholics continued, ignorantly and supinely, in their ancient belief, or rather their ancient practices; but the reformers, obliged to dispute on every occasion, and inflamed to a degree of enthusiasm by novelty and persecution, had strongly attached themselves to their tenets, and were ready to sacrifice their fortunes, and even their lives, in support of their speculative and abstract principles.

The forms and ceremonies still preserved in the English liturgy, as they bore some resemblance to the ancient service, tended farther to reconcile the Catholics to the established religion; and as the queen permitted no other mode of worship, and at the same time struck out everything that could be offensive to them in the new liturgy,<sup>25</sup> even those who were addicted to the Romish communion made no

<sup>23</sup> It is thought remarkable by Camden that, though this session was the first of the reign, no person was attainted, but, on the contrary, some restored in blood, by the Parliament—a good symptom of the lenity, at least of the prudence, of the queen's government; and that it should appear remarkable is a proof of the rigor of preceding reigns.

<sup>24</sup> Camden, p. 376. Heylin, p. 115. Strype, vol. i. p. 73, with some small variations.

<sup>25</sup> Heylin, p. 111.



scruple of attending the established church. Had Elizabeth gratified her own inclinations, the exterior apperance, which is the chief circumstance with the people, would have been still more similar between the new and the ancient form of worship. Her love of state and magnificence, which she affected in everything, inspired her with an inclination towards the pomp of the Catholic religion; and it was merely in compliance with the prejudices of her party that she gave up either images or the addresses to saints, or prayers for the dead.<sup>26</sup> Some foreign princes interposed to procure the Romanists the privilege of separate assemblies in particular cities; but the queen would not comply with their request, and she represented the manifest danger of disturbing the national peace by a toleration of different religions.<sup>27</sup>

While the queen and Parliament were employed in settling the public religion, the negotiations for a peace were still conducted, first at Cercamp, then at Château-Cambresis, between the ministers of France, Spain, and England; and Elizabeth, though equally prudent, was not equally successful, in this transaction. Philip employed his utmost efforts to procure the restitution of Calais, both as bound in honor to indemnify England, which, merely on his account, had been drawn into the war, and as engaged in interest to remove France to a distance from his frontiers in the Low Countries. So long as he entertained hopes of espousing the queen, he delayed concluding a peace with Henry; and even after the change of religion in England deprived him of all such views, his ministers hinted to her a proposal which may be regarded as reasonable and honorable. Though all his own terms with France were settled, he seemed willing to continue the war till she should obtain satisfaction; provided she would stipulate to adhere to the Spanish alliance, and continue hostilities against Henry during the course of six years;<sup>28</sup> but Elizabeth, after consulting with her ministers, wisely rejected this proposal. She was sensible of the low state of her finances; the great debts contracted by her father, brother, and sister; the disorders introduced into every part of the administration; the divisions by which her people were agitated; and she was convinced that nothing but tranquillity during some years could bring the kingdom again into a flourishing con-

<sup>26</sup> Burnet, vol. ii. pp. 376, 397. Camden, p. 371.

<sup>27</sup> Camden, p. 378. Strype, vol. i. pp. 150, 370.

<sup>28</sup> Forbes's Full View, vol. i. p. 59.

dition, or enable her to act with dignity and vigor in her transactions with foreign nations. Well acquainted with the value which Henry put upon Calais, and the impossibility, during the present emergency, of recovering it by treaty, she was willing rather to suffer that loss than submit to such a dependence on Spain as she must expect to fall into if she continued pertinaciously in her present demand. She ordered, therefore, her ambassadors, Lord Effingham, the Bishop of Ely, and Dr. Wotton, to conclude the negotiation, and to settle a peace with Henry on any reasonable terms. Henry offered to stipulate a marriage between the eldest daughter of the dauphin and the eldest son of Elizabeth, and to engage for the restitution of Calais as the dowry of that princess;<sup>29</sup> but as the queen was sensible that this treaty would appear to the world a palpable evasion, she insisted upon more equitable, at least more plausible, conditions. It was at last agreed that Henry should restore Calais at the expiration of eight years; that, in case of failure, he should pay five hundred thousand crowns, and the queen's title to Calais still remain; that he should find the security of seven or eight foreign merchants, not natives of France, for the payment of this sum; that he should deliver five hostages till that security were provided; that, if Elizabeth broke the peace with France or Scotland during the interval, she should forfeit all title to Calais; but if Henry made war on Elizabeth, he should be obliged immediately to restore that fortress.<sup>30</sup> All men of penetration easily saw that these stipulations were but a colorable pretence for abandoning Calais; but they excused the queen on account of the necessity of her affairs, and they even extolled her prudence in submitting, without farther struggle, to that necessity. A peace with Scotland was a necessary consequence of that with France.

Philip and Henry terminated hostilities by a mutual restitution of all places taken during the course of the war; and Philip espoused the Princess Elizabeth, eldest daughter of France, formerly betrothed to his son Don Carlos. The Duke of Savoy married Margaret, Henry's sister, and obtained a restitution of all his dominions of Savoy and Piedmont, except a few towns retained by France. And thus general tranquillity seemed to be restored to Europe.

But though peace was concluded between France and

<sup>29</sup> Forbes's Full View, vol. i. p. 54.

<sup>30</sup> Forbes's Full View, vol. i. p. 68. Rymer, vol. xv. p. 505.

England, there soon appeared a ground of quarrel of the most serious nature, and which was afterwards attended with the most important consequences. The two marriages of Henry VIII., that with Catherine of Arragon and that with Anne Boleyn, were incompatible with each other, and it seemed impossible that both of them could be regarded as valid and legal; but still the birth of Elizabeth lay under some disadvantages to which that of her sister Mary was not exposed. Henry's first marriage had obtained the sanction of all the powers, both civil and ecclesiastical, which were then acknowledged in England; and it was natural for Protestants, as well as Romanists, to allow, on account of the sincere intention of the parties, that their issue ought to be regarded as legitimate. But his divorce and second marriage had been concluded in direct opposition to the see of Rome; and though they had been ratified by the authority both of the English Parliament and convocation, those who were strongly attached to the Catholic communion, and who reasoned with great strictness, were led to regard them as entirely invalid, and to deny altogether the queen's right of succession. The next heir of blood was the Queen of Scots, now married to the dauphin; and the great power of that princess, joined to her plausible title, rendered her a formidable rival to Elizabeth. The King of France had secretly been soliciting at Rome a bull of excommunication against the queen; and she had here been beholden to the good offices of Philip, who, from interest more than either friendship or generosity, had negotiated in her favor, and had successfully opposed the pretensions of Henry. But the court of France was not discouraged with this repulse: the Duke of Guise and his brothers, thinking that it would much augment their credit if their niece should bring an accession of England, as she had already done of Scotland, to the crown of France, engaged the king not to neglect the claim, and by their persuasion he ordered his son and daughter-in-law to assume openly the arms as well as title of England, and to quarter these arms on all their equipages, furniture, and liveries. When the English ambassador complained of this injury, he could obtain nothing but an evasive answer: that, as the Queen of Scots was descended from the blood-royal of England, she was entitled, by the example of many princes, to assume the arms of that kingdom. But besides that this practice had never prevailed without permission being first

obtained, and without making a visible difference between the arms, Elizabeth plainly saw that this pretension had not been advanced during the reign of her sister Mary; and that therefore the King of France intended, on the first opportunity, to dispute her legitimacy and her title to the crown. Alarmed at the danger, she thenceforth conceived a violent jealousy against the Queen of Scots, and was determined, as far as possible, to incapacitate Henry from the execution of his project. The sudden death of that monarch, who was killed in a tournament at Paris while celebrating the espousals of his sister with the Duke of Savoy, altered not her views. Being informed that his successor, Francis II., still continued to assume, without reserve, the title of King of England, she began to consider him and his queen as her mortal enemies; and the present situation of affairs in Scotland afforded her a favorable opportunity both of revenging the injury and providing for her own safety.

The murder of the cardinal primate at St. Andrew's had deprived the Scottish Catholics of a head whose severity, courage, and capacity had rendered him extremely formidable to the innovators in religion; and the execution of the laws against heresy began thenceforth to be more remiss. The queen-regent governed the kingdom by prudent and moderate counsels; and as she was not disposed to sacrifice the civil interests of the state to the bigotry or interests of the clergy, she deemed it more expedient to temporize, and to connive at the progress of a doctrine which she had not power entirely to repress. When informed of the death of Edward and the accession of Mary to the crown of England, she entertained hopes that the Scottish reformers, deprived of the countenance which they received from that powerful kingdom, would lose their ardor with their prospect of success, and would gradually return to the faith of their ancestors. But the progress and revolutions of religions are little governed by the usual maxims of civil policy; and the event much disappointed the expectations of the regent. Many of the English preachers, terrified with the severity of Mary's government, took shelter in Scotland, where they found more protection and a milder administration; and while they propagated their theological tenets, they filled the whole kingdom with a just horror against the cruelties of the bigoted Catholics, and showed their disciples the fate which they must expect if ever their ad-



versaries should obtain an uncontrolled authority over them.

A hierarchy moderate in its acquisitions of power and riches may safely grant a toleration to sectaries; and the more it softens the zeal of innovators by lenity and liberty, the more securely will it possess those advantages which the legal establishments bestow upon it. But where superstition has raised a church to such an exorbitant height as that of Rome, persecution is less the result of bigotry in the priests than of a necessary policy; and the rigor of law is the only method of repelling the attacks of men who, besides religious zeal, have so many other motives, derived both from public and private interest, to engage them on the side of innovation. But though such overgrown hierarchies may long support themselves by these violent expedients, the time comes when severities tend only to enrage the new sectaries, and make them break through all bounds of reason and moderation. This crisis was now visibly approaching in Scotland; and whoever considers merely the transactions resulting from it will be inclined to throw the blame equally on both parties; whoever enlarges his view, and reflects on the situations, will remark the necessary progress of human affairs, and the operation of those principles which are inherent in human nature.

Some heads of the reformers in Scotland, such as the Earl of Argyle, his son Lord Lorne, the Earls of Morton and Glencarne, Erskine of Dun, and others, observing the danger to which they were exposed, and desirous to propagate their principles, entered privately into a bond or association, and called themselves the *Congregation* of the Lord, in contradistinction to the established church, which they denominated the congregation of Satan. The tenor of the bond was as follows: "We, perceiving how Satan, in his members, the Antichrist of our time, do cruelly rage, seeking to overthrow and to destroy the gospel of Christ and his congregation, ought, according to our bounden duty, to strive in our Master's cause even unto the death, being certain of the victory in him. We do therefore promise, before the Majesty of God and his congregation, that we, by his grace, shall, with all diligence, continually apply our whole power, substance, and our very lives to maintain, set forward, and establish the most blessed word of God and his congregation; and shall labor, by all possible means, to have faithful ministers truly and purely to minister Christ's gospel and

sacraments to his people : we shall maintain them, nourish them, and defend them, the whole congregation of Christ, and every member thereof, by our whole power, and at the hazard of our lives, against Satan and all wicked power who may intend tyranny and trouble against the said congregation, unto which holy word and congregation we do join ourselves ; and we forsake and renounce the congregation of Satan, with all the superstitious abomination and idolatry thereof ; and moreover shall declare ourselves manifestly enemies thereto by this faithful promise before God, testified to this congregation by our subscriptions. At Edinburgh, the third of December, 1557.”<sup>31</sup>

Had the subscribers of this zealous league been content only to demand a toleration of the new opinions, however incompatible their pretensions might have been with the policy of the church of Rome, they would have had the praise of opposing tyrannical laws enacted to support an establishment prejudicial to civil society ; but it is plain that they carried their views much farther ; and their practice immediately discovered the spirit by which they were actuated. Supported by the authority which they thought belonged to them as the congregation of the Lord, they ordained that prayers in the vulgar tongue<sup>32</sup> should be used in all the parish churches in the kingdom ; and that preaching and the interpretation of the Scriptures should be practised in private houses till God should move the prince to grant public preaching by faithful and true ministers.<sup>33</sup> Such bonds of association are always the forerunners of rebellion ; and this violent invasion of the established religion was the actual commencement of it.

Before this league was publicly known or avowed, the clergy, alarmed with the progress of the Reformation, at tempted to recover their lost authority by a violent exercise of power, which tended still farther to augment the zeal and number of their enemies. Hamilton, the primate, seized Walter Mill, a priest of an irreproachable life, who had embraced the new doctrines ; and, having tried him at St. Andrew's, condemned him to the flames for heresy. Such general aversion was entertained against this barbarity that it was some time before the bishops could prevail on any one to act the part of a civil judge and pronounce sentence upon

<sup>31</sup> Keith, p. 66. Knox, p. 101.

<sup>32</sup> The reformers used at that time King Edward's liturgy in Scotland. Forbes, p. 155.

<sup>33</sup> Keith, p. 66. Knox, p. 101.

Mill; and even after the time of his execution was fixed, all the shops of St. Andrew's being shut, no one would sell a rope to tie him to the stake, and the primate himself was obliged to furnish this implement. The man bore the torture with that courage which, though usual on these occasions, always appears supernatural and astonishing to the multitude. The people, to express their abhorrence against the cruelty of the priests, raised a monument of stones on the place of his execution; and as fast as the stones were removed by order of the clergy, they were again supplied from the voluntary zeal of the populace.<sup>34</sup> It is in vain for men to oppose the severest punishment to the united motives of religion and public applause; and this was the last barbarity of the kind which the Catholics had the power to exercise in Scotland.

Some time after the people discovered their sentiments in such a manner as was sufficient to prognosticate to the priests the fate which was awaiting them. It was usual, on the festival of St. Giles, the tutelar saint of Edinburgh, to carry in procession the image of that saint; but the Protestants, in order to prevent the ceremony, found means, on the eve of the festival, to purloin the statue from the church; and they pleased themselves with imagining the surprise and disappointment of his votaries. The clergy, however, framed hastily a new image, which, in derision, was called by the people young St. Giles; and they carried it through the streets, attended by all the ecclesiastics in the town and neighborhood. The multitude abstained from violence so long as the queen-regent continued a spectator, but the moment she retired they invaded the idol, threw it in the mire, and broke it in pieces. The flight and terror of the priests and friars, who, it was remarked, deserted in his greatest distress the object of their worship, was the source of universal mockery and laughter.

Encouraged by all these appearances, the Congregation proceeded with alacrity in openly soliciting subscriptions to their league; and the death of Mary of England, with the accession of Elizabeth, which happened about this time, contributed to increase their hopes of final success in their undertaking. They ventured to present a petition to the regent, craving a reformation of the church and of the *wicked, scandalous* and *detestable* lives of the prelates and ecclesiastics.<sup>35</sup> They framed a petition which they intended to

<sup>34</sup> Knox, p. 122.

<sup>35</sup> Knox, p. 121.

present to Parliament, and in which, after premising that they could not communicate with the damnable idolatry and intolerable abuses of the papistical church, they desired that the laws against heretics should be executed by the civil magistrate alone, and that the Scripture should be the sole rule in judging of heresy.<sup>36</sup> They even petitioned the convocation, and insisted that prayers should be said in the vulgar tongue, and that bishops should be chosen with the consent of the gentry of the diocese, and priests with the consent of the parishioners.<sup>37</sup> The regent prudently temporized between these parties; and as she aimed at procuring a matrimonial crown for her son-in-law, the dauphin, she was, on that as well as other accounts, unwilling to come to extremities with either of them.

But after this concession was obtained she received orders from France, probably dictated by the violent spirit of her brothers, to proceed with rigor against the reformers, and to restore the royal authority by some signal act of power.<sup>38</sup> She made the more eminent of the Protestant teachers be cited to appear before the council at Stirling; but when their followers were marching thither in great multitudes, in order to protect and countenance them, she entertained apprehensions of an insurrection, and, it is said, dissipated the people by a promise<sup>39</sup> that nothing should be done to the prejudice of the ministers. Sentence, however, was passed, by which all the ministers were pronounced rebels on account of their not appearing—a measure which enraged the people, and made them resolve to oppose the regent's authority by force of arms, and to proceed to extremities against the clergy of the established religion.

In this critical time John Knox arrived from Geneva, where he had passed some years in banishment, and where he had imbibed, from his commerce with Calvin, the highest fanaticism of his sect, augmented by the native ferocity of his own character. He had been invited back to Scotland by the leaders of the Reformation; and, mounting the pulpit at Perth during the present ferment of men's minds, he declaimed with his usual vehemence against the idolatry and other abominations of the church of Rome, and incited his audience to exert their utmost zeal for its subversion. A priest was so imprudent, after this sermon, as to open his

<sup>36</sup> Knox, p. 123.

<sup>38</sup> Melvil's *Memoirs*, p. 24. Jebb, vol. ii. p. 446.

<sup>39</sup> See note [L] at the end of the volume.

<sup>37</sup> Keith, pp. 78, 81, 82.



repository of images and relics, and prepare himself to say mass. The audience, exalted to a disposition for any furious enterprise, were as much enraged as if the spectacle had not been quite familiar to them; they attacked the priest with fury, broke the images in pieces, tore the pictures, overthrew the altars, scattered about the sacred vases, and left no implement of idolatrous worship, as they termed it, entire or undefaced. They thence proceeded, with additional numbers and augmented rage, to the monasteries of the Gray and Black friars, which they pillaged in an instant; the Carthusians underwent the same fate; and the populace, not content with robbing and expelling the monks, vented their fury on the buildings which had been the receptacles of such abomination, and in a little time nothing but the walls of these edifices were left standing. The inhabitants of Coupar, in Fife, soon after imitated the example.<sup>40</sup>

The queen-regent, provoked at these violences, assembled an army, and prepared to chastise the rebels. She had about two thousand French under her command, with a few Scottish troops; and being assisted by such of the nobility as were well affected to her, she pitched her camp within ten miles of Perth. Even the Earl of Argyle and Lord James Stuart, Prior of St. Andrew's, the queen's natural brother, though deeply engaged with the reformers, attended the regent in this enterprise, either because they blamed the fury of the populace or hoped, by their own influence and authority, to mediate some agreement between the parties. The Congregation, on the other hand, made preparations for defence; and being joined by the Earl of Glencarne from the west, and being countenanced by many of the nobility and gentry, they appeared formidable from their numbers, as well as from the zeal by which they were animated. They sent an address to the regent, where they plainly insinuated that, if they were pursued to extremities by the *cruel beasts* the churchmen, they would have recourse to foreign powers for assistance; and they subscribed themselves her faithful subjects in all things not repugnant to God, assuming, at the same time, the name of the Faithful Congregation of Christ Jesus.<sup>41</sup> They applied to the nobility attending her, and maintained that their own past violences were justified by the word of God, which commands the godly to destroy idolatry and all the monuments of it; and though all civil authority was sacred, yet was there a

<sup>40</sup> Spotswood, p. 121. Knox, p. 127.

<sup>41</sup> Knox, p. 129.

great difference between the authority and the persons who exercised it; <sup>42</sup> and that it ought to be considered whether or not those abominations called by the pestilent papists Religion, and which they defend by fire and sword, be the true religion of Christ Jesus. They remonstrated with such of the queen's army as had formerly embraced their party, and told them "That as they were already reputed traitors by God, they should likewise be excommunicated from their society, and from the participation of the sacraments of the church which God by his mighty power had erected among them, whose ministers have the same authority which Christ granted to his apostles in these words: 'Whose sins ye shall forgive shall be forgiven, and whose sins ye shall retain shall be retained.'"<sup>43</sup> We may here see that these new saints were no less lofty in their pretensions than the ancient hierarchy: no wonder they were enraged against the latter as their rivals in dominion. They joined to all these declarations an address to the established church, and they affixed this title to it: "To the generation of Antichrist, the pestilent prelates and their *shavelings* <sup>44</sup> in Scotland, the congregation of Christ Jesus within the same sayeth." The tenor of the manifesto was suitable to the title. They told the ecclesiastics, "As ye by tyranny intend not only to destroy our bodies, but also by the same to hold our souls in bondage of the devil, subject to idolatry, so shall we, with all the force and power which God shall grant unto us, execute just vengeance and punishment upon you: yea, we shall begin the same war which God commanded Israel to execute against the Canaanites; that is, contract of peace shall never be made till you desist from your open idolatry and cruel persecution of God's children. And this, in the name of the eternal God and of his son Christ Jesus, whose verity we profess, and gospel we have preached, and holy sacraments rightly administered, we signify unto you to be our intent, so far as God will assist us, to withstand your idolatry. Take this for warning, and be not deceived."<sup>45</sup> With these outrageous symptoms commenced in Scotland that cant, hypocrisy, and fanaticism which long infested that kingdom, and which, though now mollified by the lenity of the civil power, is still ready to break out on all occasions.

The queen-regent, finding such obstinate zeal in the rebels, was content to embrace the counsels of Argyle and the

<sup>42</sup> Knox, p. 131.

<sup>44</sup> A contemptuous term for a priest.

<sup>43</sup> Knox, p. 133.

<sup>45</sup> Keith, pp. 85, 86, 87. Knox, p. 134.

Prior of St. Andrew's, and to form an accommodation with them. She was received into Perth, which submitted, on her promising an indemnity for past offences and engaging not to leave any French garrison in the place. Complaints, very ill founded, immediately arose concerning the infraction of this capitulation. Some of the inhabitants, it was pretended, were molested on account of the late violences; and some companies of Scotch soldiers, supposed to be in French pay, were quartered in the town, which step, though taken on very plausible grounds, was loudly exclaimed against by the Congregation.<sup>46</sup> It is asserted that the regent, to justify these measures, declared that princes ought not to have their promises too strictly urged upon them, nor was any faith to be kept with heretics; and that, for her part, could she find as good a color, she would willingly be-reave all these men of their lives and fortunes.<sup>47</sup> But it is nowise likely that such expressions ever dropped from this prudent and virtuous princess. On the contrary, it appears that all these violences were disagreeable to her; that she was in this particular overruled by the authority of the French counsellors placed about her; and that she often thought, if the management of those affairs had been intrusted wholly to herself, she could easily, without force, have accommodated all differences.<sup>48</sup>

The Congregation, inflamed by their own zeal and enraged by these disappointments, remained not long long in tranquillity. Even before they left Perth, and while as yet they had no color to complain of any violation of treaty, they had signed a new covenant, in which, besides their engagements to mutual defence, they vowed, in the name of God, to employ their whole power in destroying every thing that dishonored his holy name; and this covenant was subscribed, among others, by Argyle and the Prior of St. Andrew's.<sup>49</sup> These two leaders now desired no better pretence for deserting the regent and openly joining their associates than the complaints, however doubtful, or rather false, of her breach of promise. The Congregation, also, encouraged by this accession of force, gave themselves up entirely to the furious zeal of Knox, and renewed at Crail, Anstruther, and other places in Fife like depredations on the churches and monasteries with those formerly committed at Perth and Coupar. The regent, who marched against them with her army, find-

<sup>46</sup> Knox, p. 139.

<sup>48</sup> See note [M] at the end of the volume.

<sup>47</sup> Ibid. Spotswood, p. 123.

<sup>49</sup> Keith, p. 89. Knox, p. 138.

ing their power so much increased, was glad to conclude a truce for a few days, and to pass over with her forces to the Lothians. The reformers besieged and took Perth; proceeded thence to Stirling, where they exercised their usual fury; and finding nothing able to resist them, they bent their march to Edinburgh, the inhabitants of which, as they had already anticipated the zeal of Congregation against the churches and monasteries, gladly opened their gates to them. The regent, with a few forces which remained with her, took shelter in Dunbar, where she fortified herself, in expectation of a reinforcement from France.

Meanwhile she employed her partisans in representing to the people the dangerous consequences of this open rebellion; and she endeavored to convince them that the Lord James, under pretence of religion, had formed the scheme of wresting the sceptre from the hands of the sovereign. By these considerations many were engaged to desert the army of the Congregation, but much more by the want of pay or any means of subsistence; and the regent, observing the malcontents to be much weakened, ventured to march to Edinburgh with a design of suppressing them. On the interposition of the Duke of Chatelrault, who still adhered to her, she agreed to a capitulation, in which she granted them a toleration of their religion, and they engaged to commit no farther depredations on the churches. Soon after they evacuated the city, and before they left it they proclaimed the articles of agreement; but they took care to publish only the articles favorable to themselves, and they were guilty of an imposture in adding one to the number—namely, that idolatry should not again be erected in any place where it was at that time suppressed.<sup>50</sup>

An agreement concluded while men were in this disposition could not be durable; and both sides endeavored to strengthen themselves as much as possible against the ensuing rupture, which appeared inevitable. The regent, having got a reinforcement of one thousand men from France, began to fortify Leith; and the Congregation seduced to their party the Duke of Chatelrault, who had long appeared inclined to join them, and who was at last determined by the arrival of his son, the Earl of Arran, from France, where he had escaped many dangers from the jealousy, as well as bigotry, of Henry and the Duke of Guise. More French troops soon after disembarked, under the command

<sup>50</sup> See note [N] at the end of the volume.



of La Brosse, who was followed by the Bishop of Amiens and three doctors of the Sorbonne. These last were supplied with store of syllogisms, authorities, citations, and scholastic arguments, which they intended to oppose to the Scottish preachers, and which, they justly presumed, would acquire force, and produce conviction, by the influence of the French arms and artillery.<sup>51</sup>

The constable Montmorency had always opposed the marriage of the dauphin with the Queen of Scots, and had foretold that, by forming such close connections with Scotland, the ancient league would be dissolved, and the natives of that kingdom, jealous of a foreign yoke, would soon become, instead of allies attached by interest and inclination, the most inveterate enemies to the French government. But though the event seemed now to have justified the prudence of that aged minister, it is not improbable, considering the violent counsels by which France was governed, that the insurrection was deemed a favorable event, as affording a pretence for sending over armies, for entirely subduing the country, for attainting the rebels,<sup>52</sup> and for preparing means thence to invade England and support Mary's title to the crown of that kingdom. The leaders of the Congregation, well acquainted with these views, were not insensible of their danger, and saw that their only safety consisted in the vigor and success of their measures. They were encouraged by the intelligence received of the sudden death of Henry II.; and having passed an act, from their own authority, depriving the queen-dowager of the regency, and ordering all the French troops to evacuate the kingdom, they collected forces to put their edict in execution against them. They again became masters of Edinburgh, but found themselves unable to keep long possession of that city. Their tumultuary armies, assembled in haste and supported by no pay, soon separated upon the least disaster, or even any delay of success, and were incapable of resisting such veteran troops as the French, who were also seconded by some of the Scottish nobility, among whom the Earl of Bothwell distinguished himself. Hearing that the Marquis of Elbeuf, brother to the regent, was levying an army against them in Germany, they thought themselves excusable for applying, in this extremity, to the assistance of England; and as the sympathy of religion, as well as regard

<sup>51</sup> Spotswood, p. 134. Thuanus, lib. 24, c. 10.

<sup>52</sup> Forbes, vol. i. p. 139, Thuanus, lib. 24, c. 13.

to national liberty, had now counterbalanced the ancient animosity against that kingdom, this measure was the result of inclination no less than of interest.<sup>53</sup> Maitland of Lidington, therefore, and Robert Melvil were secretly despatched by the Congregation to solicit succors from Elizabeth.

The wise council of Elizabeth did not long deliberate in agreeing to this request, which concurred so well with the views and interests of their mistress. Cecil, in particular, represented to the queen that the union of the crowns of Scotland and France, both of them the hereditary enemies of England, was ever regarded as a pernicious event, and her father, as well as Protector Somerset, had employed every expedient, both of war and negotiation, to prevent it; that the claim which Mary advanced to the crown rendered the present situation of England still more dangerous, and demanded, on the part of the queen, the greatest vigilance and precaution; that the capacity, ambition, and exorbitant views of the family of Guise, who now governed the French councils, were sufficiently known; and they themselves made no secret of their design to place their niece on the throne of England; that, deeming themselves secure of success, they had already, somewhat imprudently and prematurely, taken off the mask, and Throgmorton, the English ambassador of Paris, sent over, by every courier, incontestable proofs of their hostile intentions; <sup>54</sup> that they only waited till Scotland should be entirely subdued, and, having thus deprived the English of the advantages resulting from their situation and naval power, they prepared means for subverting the queen's authority; that the zealous Catholics in England, discontented with the present government, and satisfied with the legality of Mary's title, would bring them considerable reinforcement, and would disturb every measure of defence against that formidable power; that the only expedient for preventing these designs was to seize the present opportunity and take advantage of a like zeal in the Protestants of Scotland; nor could any doubt be entertained with regard to the justice of a measure founded on such evident necessity, and directed only to the ends of self-preservation; that though a French war, attended with great expense, seemed the necessary conse-

<sup>53</sup> See note [O] at the end of the volume.

<sup>54</sup> Forbes, vol. i. pp. 134, 136, 149, 150, 153, 165, 181, 194, 229, 231, 235, 241, 253.

quence of supporting the malcontents of Scotland, that power, if removed to the continent, would be much less formidable, and a small disbursement at present would, in the end, be found the greatest frugality; and that the domestic dissensions of France, which every day augmented, together with the alliance of Philip, who, notwithstanding his bigotry and hypocrisy, would never permit the entire conquest of England, were sufficient to secure the queen against the dangerous ambition and resentment of the house of Guise.<sup>55</sup>

Elizabeth's propensity to caution and economy was, though with some difficulty,<sup>56</sup> overcome by these powerful motives, and she prepared herself to support, by arms and money, the declining affairs of the Congregation in Scotland. She equipped a fleet, which consisted of thirteen ships of war; and, giving the command of it to Winter, she sent it to the Frith of Forth; she appointed the young Duke of Norfolk her lieutenant in the northern counties, and she assembled at Berwick an army of eight thousand men, under the command of Lord Grey, warden of the east and middle marches. Though the court of France, sensible of the danger, offered her to make immediate restitution of Calais provided she would not interpose in the affairs of Scotland, she resolutely replied that she never would put an inconsiderable fishing-town in competition with the safety of her dominions;<sup>57</sup> and she still continued her preparations. She concluded a treaty of mutual defence with the Congregation, which was to last during the marriage of the Queen of Scots with Francis, and a year after; and she promised never to desist till the French had entirely evacuated Scotland.<sup>58</sup> And having thus taken all proper measures for success, and received from the Scots six hostages for the performance of the articles, she ordered her fleet and army to begin their operations.

[1560.] The appearance of Elizabeth's fleet in the Frith disconcerted the French army, who were at that time ravaging the county of Fife, and obliged them to make a circuit by Stirling in order to reach Leith, where they prepared themselves for defence. The English army, reinforced by five thousand Scots,<sup>59</sup> sat down before the place; and after two skirmishes, in the former of which the English had the advantage, in the latter the French, they began to batter

<sup>55</sup> Forbes, vol. i. p. 387. Jebb, vol. i. p. 448. Keith, Append. 24.

<sup>56</sup> Forbes, vol. i. pp. 454, 460.

<sup>57</sup> Spotswood, p. 146.

<sup>58</sup> Knox, p. 217. Hayne's State Papers, vol. i. p. 153. Rymer, vol. xv. p. 569.

<sup>59</sup> Haynes, vol. i. pp. 256, 259.

the town; and though repulsed with considerable loss in a rash and ill-conducted assault, they reduced the garrison to great difficulties. Their distress was augmented by two events: the dispersion by a storm of D'Elbeuf's fleet, which carried a considerable army on board,<sup>60</sup> and the death of the queen-regent, who expired about this time in the castle of Edinburgh—a woman endowed with all the capacity which shone forth in her family, but possessed of much more virtue and moderation than appeared in the conduct of the other branches of it. The French, who found it impossible to subsist for want of provisions, and who saw that the English were continually reinforced by fresh numbers, were obliged to capitulate; and the Bishop of Valence and Count Randan, plenipotentiaries from France, signed a treaty at Edinburgh with Cecil and Dr. Wotton, whom Elizabeth had sent thither for that purpose. It was there stipulated that the French should instantly evacuate Scotland; that the King and Queen of France and Scotland should thenceforth abstain from bearing the arms of England or assuming the title of that kingdom; that farther satisfaction for the injury already done in that particular should be granted Elizabeth; and that commissioners should meet to settle this point, or, if they could not agree, that the King of Spain should be umpire between the crowns. Besides these stipulations, which regarded England, some concessions were granted to the Scots—namely, that an amnesty should be published for all past offences; that none but natives should enjoy any office in Scotland; that the states should name twenty-four persons, of whom the Queen of Scots should choose seven and the states five, and in the hands of these twelve should the whole administration be placed during the queen's absence; and that Mary should neither make peace nor war without consent of the states.<sup>61</sup> In order to hasten the execution of this important treaty, Elizabeth sent ships by which the French forces were transported into their own country.

Thus Europe saw, in the first transaction of this reign, the genius and capacity of the queen and her ministers. She discerned at a distance the danger which threatened her, and instantly took vigorous measures to prevent it. Making all possible advantages of her situation, she proceeded with celerity to a decision, and was not diverted by any

<sup>60</sup> Haynes, vol. i. p. 223.

<sup>61</sup> Rymer, vol. xv. p. 593. Keith, p. 137. Spotswood, p. 147. Knox, p. 229.



offers, negotiations, or remonstrances of the French court. She stopped not till she had brought the matter to a final issue, and had converted that very power to which her enemies trusted for her destruction into her firmest support and security. By exacting no improper conditions from the Scottish malcontents, even during their greatest distresses, she established an entire confidence with them; and having cemented the union by all the ties of gratitude, interest, and religion, she now possessed an influence over them beyond what remained even with their native sovereign. The regard which she acquired by this dexterous and spirited conduct gave her everywhere, abroad as well as at home, more authority than had attended her sister, though supported by all the power of the Spanish monarchy.<sup>62</sup>

The subsequent measures of the Scottish reformers tended still more to cement their union with England. Being now entirely masters of the kingdom, they made no farther ceremony or scruple in fully effecting their purpose. In the treaty of Edinburgh it had been agreed that a Parliament or convention should soon be assembled; and the leaders of the Congregation, not waiting till the Queen of Scots should ratify that treaty, thought themselves fully entitled, without the sovereign's authority, immediately to summon a Parliament. The reformers presented a petition to this assembly, in which they were not contented with desiring the establishment of their doctrine; they also applied for the punishment of the Catholics, whom they called vassals to the Roman harlot; and they asserted that among all the rabble of the clergy—such is their expression—there was not one lawful minister, but that they were all of them thieves and murderers, yea, rebels and traitors to civil authority, and therefore unworthy to be suffered in any reformed commonwealth.<sup>63</sup> The Parliament seem to have been actuated by the same spirit of rage and persecution. After ratifying a confession of faith agreeable to the new doctrines, they passed a statute against the mass, and not only abolished it in all the churches, but enacted that whoever, anywhere, either officiated in it or was present at it should be chastised, for the first offence, with confiscation of goods and corporal punishment, at the discretion of the magistrate; for the second, with banishment; and for the third, with loss of life.<sup>64</sup> A law was also voted for abolishing the papal

<sup>62</sup> Forbes, vol. i. pp. 354, 372. Jebb, vol. ii. p. 452.

<sup>63</sup> Knox, pp. 237, 238.

<sup>64</sup> Knox, p. 254.

jurisdiction in Scotland; the presbyterian form of discipline was settled, leaving only at first some shadow of authority to certain ecclesiastics whom they called superintendents. The prelates of the ancient faith appeared, in order to complain of great injustice committed on them by the invasion of their property; but the Parliament took no notice of them, till at last these ecclesiastics, tired with fruitless attendance, departed the town. They were then cited to appear; and as nobody presented himself, it was voted by the Parliament that the ecclesiastics were entirely satisfied and found no reason of complaint.

Sir James Sandilands, Prior of St. John, was sent over to France to obtain the ratification of these acts; but was very ill received by Mary, who denied the validity of a Parliament summoned without the royal consent; and she refused her sanction to those statutes. But the Protestants gave themselves little concern about their queen's refusal. They immediately put the statutes in execution: they abolished the mass; they settled their ministers; they committed everywhere furious devastations on the monasteries, and even on the churches which they thought profaned by idolatry; and deeming the property of the clergy lawful prize, they took possession, without ceremony, of the far greater part of the ecclesiastical revenues. Their new preachers, who had authority sufficient to incite them to war and insurrection, could not restrain their rapacity; and, fanaticism concurring with avarice, an incurable wound was given to the papal authority in that country. The Protestant nobility and gentry, united by the consciousness of such unpardonable guilt, alarmed for their new possessions, well acquainted with the imperious character of the house of Guise, saw no safety for themselves but in the protection of England; and they despatched Morton, Glencairne, and Lidington to express their sincere gratitude to the queen for her past favors, and represent to her the necessity of continuing them.

Elizabeth, on her part, had equal reason to maintain a union with the Scottish Protestants, and soon found that the house of Guise, notwithstanding their former disappointments, had not laid aside the design of contesting her title and subverting her authority. Francis and Mary, whose councils were wholly directed by them, refused to ratify the treaty of Edinburgh, and showed no disposition to give her any satisfaction for that mortal affront which they had put

upon her by their openly assuming the title and arms of England. She was sensible of the danger attending such pretensions; and it was with pleasure she heard of the violent factions which prevailed in the French government, and of the opposition which had arisen against the measures of the Duke of Guise. That ambitious prince, supported by his four brothers, the Cardinal of Lorraine, the Duke of Aumale, the Marquis of Elbeuf, and the Grand Prior, men no less ambitious than himself, had engrossed all the authority of the crown; and as he was possessed of every quality which could command the esteem or seduce the affections of men, there appeared no end of his acquisitions and pretensions. The constable Montmorency, who had long balanced his credit, was deprived of all power; the princes of the blood, the King of Navarre, and his brother, the Prince of Condé, were entirely excluded from offices and favor; the queen-mother herself, Catherine de Medicis, found her influence every day declining; and as Francis, a young prince, infirm both in mind and body, was wholly governed by his consort, who knew no law but the pleasure of her uncles, men despaired of ever obtaining freedom from the dominion of that aspiring family. It was the contests of religion which first inspired the French with courage openly to oppose their unlimited authority.

The theological disputes first started in the north of Germany, next in Switzerland, countries at that time wholly illiterate, had long ago penetrated into France; and as they were assisted by the general discontent against the court and church of Rome, and by the zealous spirit of the age, the proselytes to the new religion were secretly increasing in every province. Henry II., in imitation of his father, Francis, had opposed the progress of the reformers; and, though a prince addicted to pleasure and society, he was transported by a vehemence, as well as bigotry, which had little place in the conduct of his predecessor. Rigorous punishments had been inflicted on the most eminent of the Protestant party; and a point of honor seemed to have arisen whether the one sect could exercise or the other suffer most barbarity. The death of Henry put some stop to the persecutions; and the people, who had admired the constancy of the new preachers, now heard with favor their doctrines and arguments. But the Cardinal of Lorraine, as well as his brothers, who were possessed of the legal authority, thought it their interest to support the established re-

ligion; and when they revived the execution of the penal statutes, they necessarily drove the malcontent princes and nobles to embrace the protection of the new religion. The King of Navarre, a man of mild dispositions, but of a weak character, and the Prince of Condé, who possessed many great qualities, having declared themselves in favor of the Protestants, that sect acquired new force from their countenance; and the Admiral Coligny with his brother Andelot no longer scrupled to make open profession of their communion. The integrity of the admiral, who was believed sincere in his attachment to the new doctrine, and his great reputation both for valor and conduct, for the arts of peace as well as of war, brought credit to the reformers; and after a frustrated attempt of the malcontents to seize the king's person at Amboise, of which Elizabeth had probably some intelligence,<sup>65</sup> every place was full of distraction, and matters hastened to an open rupture between the parties. But the house of Guise, though these factions had obliged them to remit their efforts in Scotland, and had been one chief cause of Elizabeth's success, were determined not to relinquish their authority in France or yield to the violence of their enemies. They found an opportunity of seizing the King of Navarre and the Prince of Condé; they threw the former into prison; they obtained a sentence of death against the latter, and they were proceeding to put the sentence into execution when the king's sudden death saved the noble prisoner, and interrupted the prosperity of the Duke of Guise. The queen-mother was appointed regent to her son, Charles IX., now in his minority; the King of Navarre was named lieutenant-general of the kingdom; the sentence against Condé was annulled; the constable was recalled to court; and the family of Guise, though they still enjoyed great offices and great power, found a counterpoise to their authority.

Elizabeth was determined to make advantage of these events against the Queen of Scots, whom she still regarded as a dangerous rival. She saw herself freed from the perils attending a union of Scotland with France, and from the pretensions of so powerful a prince as Francis; but she considered, at the same time, that the English Catholics, who were numerous, and who were generally prejudiced in favor

<sup>65</sup> Forbes, vol. i. p. 214. Throgmorton, about this time, unwilling to intrust to letters the great secrets committed to him, obtained leave, under some pretext, to come over to London.



of Mary's title, would now adhere to that princess with more zealous attachment when they saw that her succession no longer endangered the liberties of the kingdom, and was rather attended with the advantage of effecting an entire union with Scotland. She gave orders, therefore, to her ambassador, Throgmorton, a vigilant and able minister, to renew his applications to the Queen of Scots, and to require her ratification of the treaty of Edinburgh. But though Mary had desisted, after her husband's death, from bearing the arms and title of Queen of England, she still declined gratifying Elizabeth in this momentous article; and, being swayed by the ambitious suggestions of her uncles, she refused to make any formal renunciation of her pretensions.

Meanwhile the queen-mother of France, who imputed to Mary all the mortifications which she had met with during Francis's lifetime, took care to retaliate on her by like injuries; and the Queen of Scots, finding her abode in France disagreeable, began to think of returning to her native country. Lord James, who had been sent in deputation from the states to invite her over, seconded these intentions; and she applied to Elizabeth, by D'Oisel, for a safe-conduct in case she would be obliged to pass through England;<sup>66</sup> but she received for answer that, till she had given satisfaction by ratifying the treaty of Edinburgh, she could expect no favor from a person whom she had so much injured. This denial excited her indignation, and she made no scruple of expressing her sentiments to Throgmorton when he reiterated his applications to gratify his mistress in a demand which he represented as so reasonable. Having cleared the room of her attendants, she said to him, "How weak I may prove, or how far a woman's frailty may transport me, I cannot tell; however, I am resolved not to have so many witnesses of my infirmity as your mistress had at her audience of my ambassador, D'Oisel. There is nothing disturbs me so much as the having asked, with so much opportunity, a favor which it was of no consequence for me to obtain. I can, with God's leave, return to my own country without *her* leave, as I came to France in spite of all the opposition of her brother, King Edward; neither do I want friends both able and willing to conduct me home, as they have brought me hither; though I was desirous rather to make an experiment of your mistress's

<sup>66</sup> Goodall, vol. i. p. 175.

friendship than of the assistance of any other person. I have often heard you say that a good correspondence between her and myself would conduce much to the security and happiness of both our kingdoms; were she well convinced of this truth, she would hardly have denied me so small a request. But perhaps she bears a better inclination to my rebellious subjects than to me, their sovereign, her equal in royal dignity, her near relation, and the undoubted heir of her kingdoms. Besides her friendship I ask nothing at her hands; I neither trouble her nor concern myself in the affairs of her state: not that I am ignorant that there are now in England a great many malcontents who are no friends to the present establishment. She is pleased to upbraid me as a person little experienced in the world: I freely own it; but age will cure that defect. However, I am already old enough to acquit myself honestly and courteously to my friends and relations, and to encourage no reports of your mistress which would misbecome a queen and her kinswoman. I would also say, by her leave, that I am a queen as well as she, and not altogether friendless; and perhaps I have as great a soul too; so that methinks we should be upon a level in our treatment of each other. As soon as I have consulted the state of my kingdom, I shall be ready to give her a reasonable answer; and I am the more intent on my journey in order to make the quicker despatch in this affair. But she, it seems, intends to stop my journey; so that either she will not let me give her satisfaction or is resolved not to be satisfied; perhaps on purpose to keep up the disagreement between us. She has often reproached me with my being young; and I must be very young indeed, and as ill advised, to treat of matters of such great concern and importance without the advice of my Parliament. I have not been wanting in all friendly offices to her; but she disbelieves or overlooks them. I could heartily wish that I were as nearly allied to her in affection as in blood; for that indeed would be a most valuable alliance.”<sup>67</sup>

Such a spirited reply, notwithstanding the obliging terms interspersed in it, was but ill fitted to conciliate friendship between these rival princesses, or cure those mutual jealousies which had already taken place. Elizabeth equipped a fleet on pretence of pursuing pirates, but probably with an intention of intercepting the Queen of Scots

<sup>67</sup> Caballa, p. 374. Spotswood, p. 177.

in her return homewards. Mary embarked at Calais, and, passing the English fleet in a fog, arrived safely at Leith, attended by her three uncles, the Duke of Aumale, the Grand Prior, and the Marquis of Elbeuf, together with the Marquis of Damville and other French courtiers. This change of abode and situation was very little agreeable to that princess. Besides her natural prepossessions in favor of a country in which she had been educated from her earliest infancy, and where she had borne so high a rank, she could not forbear both regretting the society of that people, so celebrated for their humane disposition and their respectful attachment to their sovereign, and reflecting on the disparity of the scene which lay before her. It is said that, after she was embarked at Calais, she kept her eyes fixed on the coast of France, and never turned them from that beloved object till darkness fell and intercepted it from her view. She then ordered a couch to be spread for her in the open air, and charged the pilot that if in the morning the land were still in sight, he should awake her and afford her one parting view of that country in which all her affections were centred. The weather proved calm, so that the ship made little way in the night-time; and Mary had once more an opportunity of seeing the French coast. She sat up on her couch, and, still looking towards the land, often repeated these words: "Farewell, France, farewell; I shall never see thee more."<sup>68</sup> The first aspect, however, of things in Scotland was more favorable, if not to her pleasure and happiness, at least to her repose and security, than she had reason to apprehend. No sooner did the French galleys appear off Leith than people of all ranks, who had long expected their arrival, flocked towards the shore with an earnest impatience to behold and receive their young sovereign. Some were led by duty, some by interest, some by curiosity; and all combined to express their attachment to her, and to insinuate themselves into her confidence, on the commencement of her administration. She had now reached her nineteenth year; and the bloom of her youth and amiable beauty of her person were farther recommended by the affability of her address, the politeness of her manners, and the elegance of her genius. Well accomplished in all the superficial but engaging graces of a court, she afforded, when better known, still more promising indications of her character; and men prognos-

<sup>68</sup> Keith, p. 179. Jebb, vol. ii. p. 483.

ticated both humanity from her soft and obliging deportment, and penetration from her taste in all the refined arts of music, eloquence, and poetry.<sup>69</sup> And as the Scots had long been deprived of the presence of their sovereign, whom they once despaired evermore to behold among them, her arrival seemed to give universal satisfaction; and nothing appeared about the court but symptoms of affection, joy, and festivity.

The first measures which Mary embraced confirmed all the prepossessions entertained in her favor. She followed the advice given her in France by D'Oisel and the Bishop of Amiens, as well as her uncles; and she bestowed her confidence entirely on the leaders of the reformed party, who had greatest influence over the people, and who, she found, were alone able to support her government. Her brother, Lord James, whom she soon after created Earl of Murray, obtained the chief authority; and after him Lidington, secretary of state, a man of great sagacity, had a principal share in her confidence. By the vigor of these men's measures she endeavored to establish order and justice in a country divided by public factions and private feuds; and that fierce, intractable people, unacquainted with laws and obedience, seemed, for a time, to submit peaceably to her gentle and prudent administration.

But there was one circumstance which blasted all these promising appearances, and bereaved Mary of that general favor which her agreeable manners and judicious deportment gave her just reason to expect. She was still a papist; and though she published, soon after her arrival, a proclamation enjoining every one to submit to the established religion, the preachers and their adherents could neither be reconciled to a person polluted with so great an abomination nor lay aside their jealousies of her future conduct. It was with great difficulty she could obtain permission for saying mass in her own chapel; and had not the people apprehended that, if she had here met with a refusal, she would instantly have returned to France, the zealots never would have granted her even that small indulgence. The cry was, "Shall we suffer that idol to be again erected within the realm?" It was asserted in the pulpit that one mass was more terrible than ten thousand armed men landed to invade the kingdom;<sup>70</sup> Lord Linde-

<sup>69</sup> Buchanan, lib. 17, c. 9. Spotswood, pp. 178, 179. Keith, p. 180. Thuanus, lib. 29, c. 2.

<sup>70</sup> Knox, p. 287.



sey and the gentlemen of Fife exclaimed "that the idolater should die the death"—such was their expression. One that carried tapers for the ceremony of that worship was attacked and insulted in the court of the palace; and if Lord James and some popular leaders had not interposed, the most dangerous uproar was justly apprehended from the ungoverned fury of the multitude.<sup>71</sup> The usual prayers in the churches were to this purpose: that God would turn the queen's heart, which was obstinate against him and his truth; or if his holy will be otherwise, that he would strengthen the hearts and *hands* of the elect stoutly to oppose the rage of all tyrants.<sup>72</sup> Nay, it was openly called in question whether that princess, being an idolatress, was entitled to any authority even in civil matters.<sup>73</sup>

The helpless queen was every moment exposed to contumely, which she bore with benignity and patience. Soon after her arrival she dined in the castle of Edinburgh, and it was there contrived that a boy, six years of age, should be let down from the roof, and should present her with a Bible, a psalter, and the keys of the castle. Lest she should be at a loss to understand this insult on her as a papist, all the decorations expressed the burning of Korah, Dathan, and Abiram, and other punishments inflicted by God upon idolatry.<sup>74</sup> The town council of Edinburgh had the assurance, from their own authority, to issue a proclamation banishing from their district "all the wicked rabble of antichrist, the pope, such as priests, monks, friars, together with adulterers and fornicators."<sup>75</sup> And because the privy council suspended the magistrates for their insolence, the passionate historians<sup>76</sup> of that age have inferred that the queen was engaged, by a sympathy of manners, to take adulterers and fornicators under her protection. It appears probable that the magistrates were afterwards reinstated in their office, and that their proclamation was confirmed.<sup>77</sup>

But all the insolence of the people was inconsiderable in comparison of that which was exercised by the clergy and the preachers, who took a pride in vilifying, even to her face, this amiable princess. The assembly of the church framed an address in which, after telling her that her mass was a bastard service of God, the fountain of all impiety, and the source of every evil which abounded in the realm,

<sup>71</sup> Knox, pp. 284, 285, 287. Spotswood, p. 179.

<sup>72</sup> Keith, p. 179.

<sup>73</sup> Keith, p. 202.

<sup>74</sup> Keith, p. 189.

<sup>75</sup> Keith, p. 192.

<sup>76</sup> Knox, p. 292.

Buchanan, lib. 17, c. 20. Haynes, vol. i. p. 372.

<sup>77</sup> Keith, p. 202.

they expressed their hopes that she would, ere this time, have preferred truth to her own preconceived opinion, and have renounced her religion, which, they assured her, was nothing but abomination and vanity. They said that the present abuses of government were so enormous that, if a speedy remedy were not provided, God would not fail, in his anger, to strike the head and the tail, the disobedient prince and sinful people; they required that severe punishment should be inflicted on adulterers and fornicators; and they concluded with demanding for themselves some addition both of power and property.<sup>78</sup>

The ringleader in all these insults on majesty was John Knox, who possessed an uncontrolled authority in the church, and even in the civil affairs of the nation, and who triumphed in the contumelious usage of his sovereign. His usual appellation for the queen was Jezebel; and though she endeavored, by the most gracious condescension, to win his favor, all her insinuations could gain nothing on his obdurate heart. She promised him access to her whenever he demanded it; and she even desired him, if he found her blamable in any thing, to reprehend her freely in private, rather than vilify her in the pulpit before the whole people; but he plainly told her that he had a public ministry intrusted to him; that if she would come to church, she should there hear the gospel of truth; and that it was not his business to apply to every individual, nor had he leisure for that occupation.<sup>79</sup> The political principles of the man, which he communicated to his brethren, were as full of sedition as his theological were of rage and bigotry. Though he once condescended so far as to tell the queen that he would submit to her, in the same manner as Paul did to Nero,<sup>80</sup> he remained not long in this dutiful strain. He said to her that "Samuel feared not to slay Agag, the fat and delicate King of Amalek, whom King Saul had saved; neither spared Elias Jezebel's false prophets and Baal's priests, though King Ahab was present. Phineas," added he, "was no magistrate; yet feared he not to strike Cosbi and Zimri in the very act of filthy fornication. And so, madam, your grace may see that others than chief magistrates may lawfully inflict punishment on such crimes as are condemned by the law of God."<sup>81</sup> Knox had formerly, during the reign of Mary of England, written a book against

<sup>78</sup> Knox, pp. 311, 312.

<sup>80</sup> Knox, p. 288.

<sup>79</sup> Knox, p. 310.

<sup>81</sup> Knox, p. 326.

female succession to the crown ; the title of it is, "The first blast of the trumpet against the monstrous regimen of women." He was too proud either to recant the tenets of this book or even to apologize for them ; and his conduct showed that he thought no more civility than loyalty due to any of the female sex.

The whole life of Mary was, from the demeanor of these men, filled with bitterness and sorrow. This rustic apostle scruples not, in his history, to inform us that he once treated her with such severity that she lost all command of temper, and dissolved in tears before him ; yet, so far from being moved with youth, and beauty, and royal dignity reduced to that condition, he persevered in his insolent reproofs ; and when he relates this incident, he discovers a visible pride and satisfaction in his own conduct.<sup>82</sup> The pulpits had become mere scenes of railing against the vices of the court, among which were always noted, as the principal, feasting, finery, dancing, balls, and whoredom, their necessary attendant.<sup>83</sup> Some ornaments which the ladies at that time wore upon their petticoats excited mightily the indignation of the preachers, and they affirmed that such vanity would provoke God's vengeance not only against these foolish women, but against the whole realm.<sup>84</sup>

Mary, whose age, condition, and education invited her to liberty and cheerfulness, was curbed in all amusements by the absurd severity of these reformers ; and she found, every moment, reason to regret her leaving that country from whose manners she had, in her early youth, received the first impressions.<sup>85</sup> Her two uncles, the Duke of Aumale and the Grand Prior, with the other French nobility, soon took leave of her ; the Marquis of Elbeuf remained some time longer ; but after his departure she was left to the society of her own subjects, men unacquainted with the pleasures of conversation, ignorant of arts and civility, and corrupted beyond their usual rusticity by a dismal fanaticism which rendered them incapable of all humanity or improvement. Though Mary had made no attempt to restore the ancient religion, her popery was a sufficient crime ; though her behavior was hitherto irreproachable, and her manners sweet and engaging, her gayety and ease were interpreted as signs of dissolute vanity. And to the harsh and preposterous usage which this princess met with may, in part,

<sup>82</sup> Knox, pp. 332, 333.

<sup>84</sup> Knox p. 330.

<sup>83</sup> Knox, p. 322.

<sup>85</sup> Knox, p. 294.

be ascribed those errors of her subsequent conduct which seemed so little of a piece with the general tenor of her character.

There happened to the Marquis of Elbeuf, before his departure, an adventure which, though frivolous, might enable him to give Mary's friends in France a melancholy idea of her situation. This nobleman, with the Earl of Bothwell and some other young courtiers, had been engaged, after a debauch, to pay a visit to a woman called Alison Craig, who was known to be liberal of her favors; and, because they were denied admittance, they broke the windows, thrust open the door, and committed some disorders in searching for the damsel. It happened that the assembly of the church was sitting at that time, and they immediately took the matter under their cognizance. In conjunction with several of the nobility, they presented an address to the queen which was introduced with this awful prelude: "To the queen's majesty, and to her secret and great council, her grace's faithful and obedient subjects, the professors of Christ Jesus's holy evangel, wish the spirit of righteous judgment." The tenor of the petition was that the fear of God, the duty which they owed her grace, and the terrible threatenings denounced by God against every city or country where horrible crimes were openly committed, compelled them to demand the severe punishment of such as had done what in them lay to kindle the wrath of God against the whole realm; that the iniquity of which they complained was so heinous and so horrible that they should esteem themselves accomplices in it if they had been engaged by worldly fear or servile complaisance to pass it over in silence or bury it in oblivion; that as they owed her grace obedience in the administration of justice, so were they entitled to require of her, in return, the sharp and condign punishment of this enormity, which, they repeated it, might draw down the vengeance of God on the whole kingdom; and that they maintained it to be her duty to lay aside all private affections towards the actors in so heinous a crime and so enormous a villany, and without delay bring them to a trial, and inflict the severest penalties upon them. The queen gave a gracious reception to this peremptory address; but because she probably thought that breaking the windows of a brothel merited not such severe reprehension, she only replied that her uncle was a stranger, and that he was attended by a young company; but she would put such order



to him, and to all others, that her subjects should henceforth have no reason to complain. Her passing over this incident so slightly was the source of great discontent, and was regarded as a proof of the most profligate manners.<sup>86</sup> It is not to be omitted that Alison Craig, the cause of all the uproar, was known to entertain a commerce with the Earl of Arran, who, on account of his great zeal for the Reformation, was, without scruple, indulged in that enormity.<sup>87</sup>

Some of the populace of Edinburgh broke into the queen's chapel during her absence, and committed outrages; for which two of them were indicted, and it was intended to bring them to trial. Knox wrote circular letters to the most considerable zealots of the party, and charged them to appear in town and protect their brethren. The holy sacraments, he there said, are abused by profane papists; the mass has been said; and in worshipping that idol, the priests have omitted no ceremony, not even the conjuring of their accursed water, that had ever been practised in the time of the greatest blindness. These violent measures for opposing justice were little short of rebellion; and Knox was summoned before the council to answer for his offence. The courage of the man was equal to his insolence. He scrupled not to tell the queen that the pestilent papists who had inflamed her against these holy men were the sons of the devil, and must therefore obey the directions of their father, who had been a liar and a manslayer from the beginning. The matter ended with a full acquittal of Knox.<sup>88</sup> Randolph, the English ambassador in Scotland, had reason to write to Cecil, speaking of the Scottish nation: "I think marvellously of the wisdom of God, that gave this unruly, inconstant, and cumbersome people no more power nor substance; for they would otherwise run wild."<sup>89</sup>

We have related these incidents at greater length than the necessity of our subject may seem to require; but even trivial circumstances, which show the manners of the age, are often more instructive, as well as entertaining, than the great transactions of wars and negotiations, which are nearly similar in all periods and in all countries of the world.

The reformed clergy in Scotland had, at that time, a very natural reason for their ill-humor—namely, the poverty, or rather beggary, to which they were reduced. The no-

<sup>86</sup> Knox, pp. 302, 303, 304. Keith, p. 509.

<sup>88</sup> Knox, pp. 336, 342.

<sup>87</sup> Knox, pp. 302, 303, 304.

<sup>89</sup> Keith, p. 202.

bility and gentry had at first laid their hands on all the property of the regular clergy, without making any provision for the friars and nuns, whom they turned out of their possession. The secular clergy of the Catholic communion, though they lost all ecclesiastical jurisdiction, still held some of the temporalities of their benefices, and either became laymen themselves, and converted them into private property, or made conveyance of them at low prices to the nobility, who thus enriched themselves by the plunder of the church. The new teachers had hitherto subsisted chiefly by the voluntary oblations of the faithful; and in a poor country, divided in religious sentiments, this establishment was regarded as very scanty and very precarious. Repeated applications were made for a legal settlement to the preachers; and though almost everything in the kingdom was governed by their zeal and caprice, it was with difficulty that their request was at last complied with. The fanatical spirit which they indulged, and their industry in decrying the principles and practices of the Romish communion, which placed such merit in enriching the clergy, proved now a very sensible obstacle to their acquisitions. The convention, however, passed a vote<sup>90</sup> by which they divided all the ecclesiastical benefices into twenty-one shares: they assigned fourteen to the ancient possessors; of the remaining seven they granted three to the crown; and if that were found to answer the public expense, they bestowed the overplus on the reformed ministers. The queen was empowered to levy all the seven; and it was ordained that she should afterwards pay to the clergy what should be judged to suffice for their maintenance. The necessities of the crown, the rapacity of the courtiers, and the small affection which Mary bore to the Protestant ecclesiastics rendered their revenues contemptible as well as uncertain; and the preachers, finding that they could not rival the gentry, or even the middling rank of men, in opulence and plenty, were necessitated to betake themselves to other expedients for supporting their authority. They affected a furious zeal for religion, morose manners, a vulgar and familiar yet mysterious cant; and though the liberality of subsequent princes put them afterwards on a better footing with regard to revenue, and thereby corrected, in some degree, those bad habits, it must be confessed that, while many other advantages attend presby-

<sup>90</sup> Knox, p. 296. Keith, p. 210.

terian government, these inconveniences are not easily separated from the genius of that ecclesiastical polity.

The Queen of Scots, destitute of all force, possessing a narrow revenue, surrounded with a factious, turbulent nobility, a bigoted people, and insolent ecclesiastics, soon found that her only expedient for maintaining tranquillity was to preserve a good correspondence with Elizabeth,<sup>91</sup> who, by former connections and services, had acquired such authority over all these ranks of men. Soon after her arrival in Scotland Secretary Lidington was sent to London, in order to pay her compliments to the queen, and express her desire of friendship and a good correspondence; and he received a commission from her, as well as from the nobility of Scotland, to demand, as a means of cementing this friendship, that Mary should, by act of Parliament or by proclamation (for the difference between these securities was not then deemed very considerable), be declared successor to the crown. No request could be more unreasonable, or made at a more improper juncture. The queen replied that Mary had once discovered her intention not to wait for the succession, but had openly, without ceremony or reserve, assumed the title of Queen of England, and had pretended a superior right to her throne and kingdom: that though her ambassadors, and those of her husband, the French king, had signed a treaty in which they renounced that claim and promised satisfaction for so great an indignity, she was so intoxicated with this imaginary right that she had rejected the most earnest solicitations, and even, as some endeavored to persuade her, had incurred some danger in crossing the seas rather than ratify that equitable treaty: that her partisans everywhere had still the assurance to insist on her title, and had presumed to talk of her own birth as illegitimate: that while affairs were on this footing, while a claim thus openly made, so far from being openly renounced, was only suspended till a more favorable opportunity, it would in her be the most egregious imprudence to fortify the hands of a pretender to her crown by declaring her the successor: that no expedient could be worse imagined for cementing friendship than such a declaration; and kings were often found to bear no goodwill to their successors, even though their own children; much more when the connection was less intimate, and when such cause of disgust and jealousy had already

<sup>91</sup> Jebb, vol. ii. p. 456.

been given, and indeed was still continued, on the part of Mary: that though she was willing, from the amity which she bore her kinswoman, to ascribe her former pretensions to the advice of others, by whose direction she was then governed, her present refusal to relinquish them could proceed only from her own prepossessions, and was a proof that she still harbored some dangerous designs against her: that it was the nature of all men to be disgusted with the present, to entertain flattering views of futurity, to think their services ill rewarded, to expect a better recompense from the successor; and she should esteem herself scarcely half a sovereign over the English, if they saw her declare her heir, and arm her rival with authority against her own repose and safety: that she knew the inconstant nature of the people; she was acquainted with the present divisions in religion; she was not ignorant that the same party which expected greater favor during the reign of Mary did also imagine that the title of that princess was superior to her own: that for her part, whatever claims were advanced, she was determined to live and die Queen of England; and after her death it was the business of others to examine who had the best pretensions, either by the laws or by the right of blood, to the succession: that she hoped the claim of the Queen of Scots would then be found solid; and, considering the injury which she herself had received, it was sufficient indulgence if she promised, in the mean time, to do nothing which might, in any respect, weaken or invalidate it: and that Mary, if her title were really preferable—a point which, for her own part, she had never inquired into—possessed all advantages above her rivals, who, destitute both of present power and of all support by friends, would only expose themselves to inevitable ruin by advancing any weak or even doubtful pretensions.<sup>92</sup>

These views of the queen were so prudent and judicious that there was no likelihood of her ever departing from them; but that she might put the matter to a fuller proof, she offered to explain the words of the treaty of Edinburgh, so as to leave no suspicion of their excluding Mary's right of succession;<sup>93</sup> and in this form she again required her to ratify that treaty. Matters at last came to this issue, that Mary agreed to the proposal, and

<sup>92</sup> Buchanan, lib. 17, c. 14–17. Camden, p. 385. Spotswood, pp. 180, 181.

<sup>93</sup> Spotswood, p. 181.



offered to renounce all present pretensions to the crown of England provided Elizabeth would agree to declare her the successor.<sup>94</sup> But such was the jealous character of this latter princess that she never would consent to strengthen the interest and authority of any claimant by fixing the succession; much less would she make this concession in favor of a rival queen, who possessed such plausible pretensions for the present, and who, though she might verbally renounce them, could easily resume her claim on the first opportunity. Mary's proposal, however, bore so specious an appearance of equity and justice that Elizabeth, sensible that reason would, by superficial thinkers, be deemed to lie entirely on that side, made no more mention of the matter; and though farther concessions were never made by either princess, they put on all the appearances of a cordial reconciliation and friendship with each other.

The queen observed that, even without her interposition, Mary was sufficiently depressed by the mutinous spirit of her own subjects; and instead of giving Scotland, for the present, any inquietude or disturbance, she employed herself, more usefully and laudably, in regulating the affairs of her own kingdom and promoting the happiness of her people. She made some progress in paying those great debts which lay upon the crown; she regulated the coin, which had been much debased by her predecessors; she furnished her arsenals with great quantities of arms from Germany and other places; engaged her nobility and gentry to imitate her example in this particular; introduced into the kingdom the art of making gunpowder and brass cannon; fortified her frontiers on the side of Scotland; made frequent reviews of the militia; encouraged agriculture, by allowing a free exportation of corn; promoted trade and navigation; and so much increased the shipping of her kingdom, both by building vessels of force herself and suggesting like undertakings to the merchants, that she was justly styled the restorer of naval glory and the queen of the northern seas.<sup>95</sup> The natural frugality of her temper, so far from incapacitating her from these great enterprises, only enabled her to execute them with greater certainty and success; and all the world saw in her conduct the happy effects of a vigorous perseverance in judicious and well-concerted projects.

It is easy to imagine that so great a princess, who en-

<sup>94</sup> Haynes, vol. i. p. 377.

<sup>95</sup> Camden, p. 388. Strype, vol. i. pp. 230, 336, 237.

joyed such singular felicity and renown, would receive proposals of marriage from every one that had any likelihood of succeeding; and though she had made some public declarations in favor of single life, few believed that she would persevere forever in that resolution. The Archduke Charles, second son of the emperor,<sup>96</sup> as well as Casimir, son of the Elector Palatine, made applications to her; and as this latter prince professed the reformed religion, he thought himself, on that account, better entitled to succeed in his addresses. Eric, King of Sweden, and Adolph, Duke of Holstein, were encouraged, by the same views, to become suitors; and the Earl of Arran, heir to the crown of Scotland, was, by the states of that kingdom, recommended to her as a suitable marriage. Even some of her own subjects, though they did not openly declare their pretensions, entertained hopes of success. The Earl of Arundel, a person declining in years, but descended from an ancient and noble family, as well as possessed of great riches, flattered himself with this prospect; as did also Sir William Pickering, a man much esteemed for his personal merit. But the person most likely to succeed was a younger son of the late Duke of Northumberland, Lord Robert Dudley, who, by means of his exterior qualities, joined to address and flattery, had become in a manner her declared favorite, and had great influence in all her counsels. The less worthy he appeared of this distinction, the more was his great favor ascribed to some violent affection, which could thus seduce the judgment of this penetrating princess; and men long expected that he would obtain the preference above so many princes and monarchs. But the queen gave all those suitors a gentle refusal, which still encouraged their pursuit; and she thought that she should the better attach them to her interests if they were still allowed to entertain hopes of succeeding in their pretensions. It is also probable that this policy was not entirely free from a mixture of female coquetry; and that though she was determined in her own mind never to share her power with any man, she was not displeased with the courtship, solicitation, and professions of love which the desire of acquiring so valuable a prize procured her from all quarters.

What is most singular in the conduct and character of Elizabeth is that, though she determined never to have any heir of her own body, she was not only very averse to

<sup>96</sup> Haynes, vol. i. p. 233.

fix any successor to the crown, but seems also to have resolved, as far as lay in her power, that no one who had pretensions to the succession should ever have any heirs or successors. If the exclusion given by the will of Henry VIII. to the posterity of Margaret, Queen of Scotland, was allowed to be valid, the right to the crown devolved on the house of Suffolk; and the Lady Catharine Gray, youngest sister to the Lady Jane, was now the heir of that family. This lady had been married to Lord Herbert, son of the Earl of Pembroke; but having been divorced from that nobleman, she made a private marriage with the Earl of Hertford, son of the protector; and her husband, soon after consummation, travelled into France. In a little time she appeared to be pregnant, which so enraged Elizabeth that she threw her into the Tower, and summoned Hertford to appear in order to answer for his misdemeanor. He made no scruple of acknowledging the marriage, which, though concluded without the queen's consent, was entirely suitable to both parties; and for this offence he was also committed to the Tower. Elizabeth's severity stopped not here: she issued a commission to inquire into the matter; and as Hertford could not, within the time limited, prove the nuptials by witnesses, the commerce between him and his consort was declared unlawful, and their posterity illegitimate. They were still detained in custody; but by bribing their keepers, they found means to have farther intercourse; and another child appeared to be the fruit of their commerce. This was a fresh source of vexation to the queen, who made a fine of fifteen thousand pounds to be set on Hertford by the star-chamber, and ordered his confinement to be thenceforth more rigid and severe. He lay in this condition for nine years, till the death of his wife, by freeing Elizabeth from all fears, procured him his liberty.<sup>97</sup> This extreme severity must be accounted for either by the unrelenting jealousy of the queen, who was afraid lest a pretender to the succession should acquire credit by having issue, or by her malignity, which, with all her great qualities, made one ingredient in her character, and which led her to envy in others those natural pleasures of love and posterity of which her own ambition and desire of dominion made her renounce all prospect for herself.

There happened, about this time, some other events in the royal family, where the queen's conduct was more laud-

<sup>97</sup> Haynes, vol. i. pp. 369, 378, 396. Camden, p. 380. Heylin, p. 154.

able. Arthur Pole and his brother, nephews to the late cardinal, and descended from the Duke of Clarence, together with Anthony Fortescue, who had married a sister of these gentlemen, and some other persons, were brought to their trial for intending to withdraw into France with a view of soliciting succors from the Duke of Guise, of returning thence into Wales, and of proclaiming Mary queen of England, and Arthur Pole Duke of Clarence. They confessed the indictment, but asserted that they never meant to execute these projects during the queen's lifetime; they had only deemed such precautions requisite in case of her demise, which some pretenders to judicial astrology had assured them they might with certainty look for before the year expired. They were condemned by the jury, but received a pardon from the queen's clemency.<sup>98</sup>

<sup>98</sup> Strype, vol. i. p. 333. Heylin, p. 154.



## CHAPTER XXXIX.

STATE OF EUROPE.—CIVIL WARS OF FRANCE.—HAVRE DE GRACE PUT IN POSSESSION OF THE ENGLISH.—A PARLIAMENT.—HAVRE LOST.—AFFAIRS OF SCOTLAND.—THE QUEEN OF SCOTS MARRIES THE EARL OF DARNLEY.—CONFEDERACY AGAINST THE PROTESTANTS.—MURDER OF RIZZIO. — A PARLIAMENT. — MURDER OF DARNLEY. — QUEEN OF SCOTS MARRIES BOTHWELL.—INSURRECTIONS IN SCOTLAND.—IMPRISONMENT OF MARY.—MARY FLIES INTO ENGLAND—CONFERENCES AT YORK AND HAMPTON COURT.

AFTER the commencement of the religious wars in France, which rendered that flourishing kingdom, during the course of near forty years, a scene of horror and devastation, the great rival powers in Europe were Spain and England; and it was not long before an animosity, first political, then personal, broke out between the sovereigns of these countries.

Philip II. of Spain, though he reached not any enlarged views of policy, was endowed with great industry and sagacity, a remarkable caution in his enterprises, an unusual foresight in all his measures; and as he was ever cool and seemingly unmoved by passion, and possessed neither talents nor inclination for war, both his subjects and his neighbors had reason to expect justice, happiness, and tranquillity from his administration. But prejudices had on him as pernicious effects as ever passion had on any other monarch; and the spirit of bigotry and tyranny by which he was actuated, with the fraudulent maxims which governed his counsels, excited the most violent agitation among his own people, engaged him in acts of most enormous cruelty, and threw all Europe into combustion.

After Philip had concluded peace at Château-Cambresis, and had remained some time in the Netherlands, in order to settle the affairs of that country, he embarked for Spain; and as the gravity of that nation, with their respectful obedience to their prince, had appeared more agreeable to his

humor than the homely familiar manners and the pertinacious liberty of the Flemings, it was expected that he would, for the future, reside altogether at Madrid, and would govern all his extensive dominions by Spanish ministers and Spanish counsels. Having met with a violent tempest on his voyage, he no sooner arrived in harbor than he fell on his knees, and, after giving thanks for his deliverance, he vowed that his life, which was thus providentially saved, should thenceforth be entirely devoted to the extirpation of heresy.<sup>1</sup> His subsequent conduct corresponded to these professions. Finding that the new doctrines had penetrated into Spain, he let loose the rage of persecution against all who professed them or were suspected of adhering to them; and by his violence he gave new edge even to the unusual cruelty of priests and inquisitors. He threw into prison Constantine Ponce, who had been confessor to his father, the Emperor Charles, who had attended him during his retreat, and in whose arms that great monarch had terminated his life; and after this ecclesiastic died in confinement, he still ordered him to be tried and condemned for heresy, and his statue to be committed to the flames. He even deliberated whether he should not exercise like severity against the memory of his father, who was suspected, during his later years, to have indulged in a propensity towards the Lutheran principles. In his unrelenting zeal for orthodoxy, he spared neither age, sex, nor condition; he was present, with an inflexible countenance, at the most barbarous executions; he issued rigorous orders for the prosecution of heretics in Spain, Italy, the Indies, and the Low Countries; and having founded his determined tyranny on maxims of civil policy, as well as on principles of religion, he made it apparent to all his subjects that there was no method, except the most entire compliance or most obstinate resistance, to escape or elude the severity of his vengeance.

During that extreme animosity which prevailed between the adherents of the opposite religions, the civil magistrate, who found it difficult, if not impossible, for the same laws to govern such enraged adversaries, was naturally led, by specious rules of prudence, in embracing one party, to declare war against the other, and to exterminate, by fire and sword, those bigots who, from abhorrence of his religion, had proceeded to an opposition of his power and to a hatred of his person. If any prince possessed such enlarged

<sup>1</sup> Thuanus, lib. 23, cap. 14.

views as to foresee that a mutual toleration would in time abate the fury of religious prejudices, he yet met with difficulties in reducing this principle to practice, and might deem the malady too violent to await a remedy which, though certain, must necessarily be slow in its operation. But Philip, though a profound hypocrite, and extremely governed by self-interest, seems also to have been himself actuated by an imperious bigotry; and, as he employed great reflection in all his conduct, he could easily palliate the gratification of his natural temper under the color of wisdom, and find, in this system, no less advantage to his foreign than his domestic politics. By placing himself at the head of the Catholic party, he converted the zealots of the ancient faith into partisans of Spanish greatness; and by employing the powerful allurements of religion, he seduced, everywhere, the subjects from that allegiance which they owed to their native sovereign.

The course of events, guiding and concurring with choice, had placed Elizabeth in a situation diametrically opposite, and had raised her to be the glory, the bulwark, and the support of the numerous, though still persecuted, Protestants throughout Europe. More moderate in her temper than Philip, she found, with pleasure, that the principles of her sect required not such extreme severity in her domestic government as was exercised by that monarch; and having no object but self-preservation, she united her interests in all foreign negotiations with those who were everywhere struggling under oppression and guarding themselves against ruin and extermination. The more virtuous sovereign was thus happily thrown into the more favorable cause; and fortune, in this instance, concurred with policy and nature.

During the lifetime of Henry II. of France, and of his successor, the force of these principles was somewhat restrained, though not altogether overcome, by motives of a superior interest; and the dread of uniting England with the French monarchy engaged Philip to maintain a good correspondence with Elizabeth. Yet even during this period he rejected the garter which she sent him; he refused to ratify the ancient league between the House of Burgundy and England;<sup>2</sup> he furnished ships to transport French forces into Scotland; he endeavored to intercept the Earl of Arran, who was hastening to join the malcontents in that country;

<sup>2</sup> Digges's *Complete Ambassador*, p. 369. Haynes, p. 585. Strype, vol. iv. No. 246.

and the queen's wisest ministers still regarded his friendship as hollow and precarious.<sup>3</sup> But no sooner did the death of Francis II. put an end to Philip's apprehensions with regard to Mary's succession than his animosity against Elizabeth began more openly to appear; and the interests of Spain and those of England were found opposite in every negotiation and transaction.

The two great monarchies of the continent, France and Spain, being possessed of nearly equal force, were naturally antagonists; and England, from its power and situation, was entitled to support its own dignity, as well as tranquillity, by holding the balance between them. Whatever incident, therefore, tended too much to depress one of these rival powers, as it left the other without control, might be deemed contrary to the interests of England; yet so much were these great maxims of policy overruled during that age by the disputes of theology, that Philip found an advantage in supporting the established government and religion of France, and Elizabeth in protecting faction and innovation.

The queen-regent of France, when reinstated in authority by the death of her son, Francis, had formed a plan of administration more subtle than judicious; and, balancing the Catholics with the Huguenots, the Duke of Guise with the Prince of Condé, she endeavored to render herself necessary to both, and to establish her own dominion on their constrained obedience.<sup>4</sup> But the equal counterpoise of power, which, among foreign nations, is the source of tranquillity, proves always the ground of quarrel between domestic factions; and if the animosity of religion concur with the frequent occasions which present themselves of mutual injury, it is impossible, during any time, to preserve a firm concord in so delicate a situation. The constable Montmorency, moved by zeal for the ancient faith, joined himself to the Duke of Guise; the King of Navarre, from his inconstant temper, and his jealousy of the superior genius of his brother, embraced the same party; and Catherine, finding herself depressed by this combination, had recourse to Condé and the Huguenots, who gladly embraced the opportunity of fortifying themselves by her countenance and protection.<sup>5</sup> An edict had been published granting a toleration to the Protestants; but the interested violence of the Duke of Guise, covered with the pretence of religious zeal, broke through this agreement; and the two parties, after the

<sup>3</sup> Haynes, vol. i. pp. 280, 281, 283, 284.

<sup>4</sup> Davila, lib. 2.

<sup>5</sup> Davila, lib. 3.



fallacious tranquillity of a moment, renewed their mutual insults and injuries. Condé, Coligny, Andelot assembled their friends, and flew to arms; Guise and Montmorency got possession of the king's person, and constrained the queen-regent to embrace their party; fourteen armies were levied and put in motion in different parts of France;<sup>6</sup> each province, each city, each family, was agitated with intestine rage and animosity. The father was divided against the son; brother against brother; and women themselves, sacrificing their humanity, as well as their timidity, to the religious fury, distinguished themselves by acts of ferocity and valor.<sup>7</sup> Wherever the Huguenots prevailed the images were broken, the altars pillaged, the churches demolished, the monasteries consumed with fire; where success attended the Catholics, they burned the Bibles, re-baptized the infants, constrained married persons to pass anew through the nuptial ceremony; and plunder, desolation, and bloodshed attended equally the triumph of both parties. The Parliament of Paris itself, the seat of law and justice, instead of employing its authority to compose these fatal quarrels, published an edict by which it put the sword into the hands of the enraged multitude, and empowered the Catholics everywhere to massacre the Huguenots;<sup>8</sup> and it was during this period, when men began to be somewhat enlightened, and in this nation, renowned for polished manners, that the theological rage which had long been boiling in men's veins seems to have attained its last stage of virulence and ferocity.

Philip, jealous of the progress which the Huguenots made in France, and dreading that the contagion would spread into the Low Country provinces, had formed a secret alliance with the Princes of Guise, and had entered into a mutual concert for the protection of the ancient faith and the suppression of heresy. He now sent six thousand men, with some supply of money, to reinforce the Catholic party; and the Prince of Condé, finding himself unequal to so great a combination, countenanced by the royal authority, was obliged to despatch the Vidame of Chartres and Brigue-maut to London in order to crave the assistance and protection of Elizabeth. Most of the province of Normandy was possessed by the Huguenots; and Condé offered to put Havre de Grace into the hands of the English on condition that, together with three thousand men for the garrison of that place, the queen should likewise send over three thou-

<sup>6</sup> Father Paul, lib. 7.<sup>7</sup> Ibid.<sup>8</sup> Father Paul, lib. 7. Haynes, p. 391.

sand to defend Dieppe and Rouën, and should furnish the prince with a supply of a hundred thousand crowns.<sup>9</sup>

Elizabeth, besides the general and essential interest of supporting the Protestants and opposing the rapid progress of her enemy, the Duke of Guise, had other motives which engaged her to accept of this proposal. When she concluded the peace at Château-Cambresis, she had good reason to foresee that France never would voluntarily fulfil the article which regarded the restitution of Calais; and many subsequent incidents had tended to confirm this suspicion. Considerable sums of money had been expended on the fortifications; long leases had been granted of the lands; and many inhabitants had been encouraged to build and settle there, by assurances that Calais should never be restored to the English.<sup>10</sup> The queen, therefore, wisely concluded that could she get possession of Havre, a place which commanded the mouth of the Seine, and was of greater importance than Calais, she should easily constrain the French to execute the treaty, and should have the glory of restoring to the crown that ancient possession, so much the favorite of the nation.

No measure could be more generally odious in France than the conclusion of this treaty with Elizabeth. Men were naturally led to compare the conduct of Guise, who had finally expelled the English, and had debarred these dangerous and destructive enemies from all access into France, with the treasonable politics of Condé, who had again granted them an entrance into the heart of the kingdom. The prince had the more reason to repent of this measure, as he reaped not from it all the advantage which he expected. Three thousand English immediately took possession of Havre and Dieppe, under the command of Sir Edward Poinings; but the latter place was found so little capable of defence that it was immediately abandoned.<sup>11</sup> The siege of Rouën was already formed by the Catholics, under the command of the King of Navarre and Montmorency; and it was with difficulty that Poinings could throw a small reinforcement into the place. Though these English troops behaved with gallantry,<sup>12</sup> and though the King of Navarre was mortally wounded during the siege, the Catholics still continued the attack of the place, and carrying it at last by assault, put the whole garrison to the sword. The Earl of Warwick, eldest son of the late Duke of Northumberland,

<sup>9</sup> Forbes, vol. ii. p. 48.

<sup>11</sup> Forbes, vol. ii. p. 199.

<sup>10</sup> Forbes, vol. ii. pp. 54, 257.

<sup>12</sup> Forbes, vol. ii. p. 161.

arrived soon after at Havre, with another body of three thousand English, and took on him the command of the place.

It was expected that the French Catholics, flushed with their success at Roüen, would immediately have formed the siege of Havre, which was not as yet in any condition of defence; but the intestine disorders of the kingdom soon diverted their attention to another enterprise. Andelot, seconded by the negotiations of Elizabeth, had levied a considerable body of Protestants in Germany; and having arrived at Orleans, the seat of the Huguenots' power, he enabled the Prince of Condé and the admiral to take the field and oppose the progress of their enemies. After threatening Paris during some time, they took their march towards Normandy, with a view of engaging the English to act in conjunction with them, and of fortifying themselves by the farther assistance which they expected from the zeal and vigor of Elizabeth.<sup>13</sup> The Catholics, commanded by the constable, and under him by the Duke of Guise, followed on their rear, and, overtaking them at Dreux, obliged them to give battle. The field was fought with great obstinacy on both sides; and the action was distinguished by this singular event, that Condé and Montmorency, the commanders of the opposite armies, fell, both of them, prisoners into the hands of their enemies. The appearances of victory remained with Guise; but the admiral, whose fate it ever was to be defeated, and still to rise more terrible after his misfortunes, collected the remains of the army, and, inspiring his own unconquerable courage and constancy into every breast, kept them in a body and subdued some considerable places in Normandy. Elizabeth, the better to support his cause, sent him a new supply of a hundred thousand crowns; and offered, if he could find merchants to lend him the money, to give her bond for another sum of equal amount.<sup>14</sup>

[1563.] The expenses incurred by assisting the French Huguenots had emptied the queen's exchequer; and, in order to obtain a supply, she found herself under the necessity of summoning a Parliament, an expedient to which she never willingly had recourse. A little before the meeting of this assembly she had fallen into a dangerous illness, the small-pox; and as her life, during some time, was despaired of, the people became the more sensible of their perilous situation, derived from the uncertainty which, in case of

<sup>13</sup> Forbes, vol. ii. p. 320. Davila, lib. 3.

<sup>14</sup> Forbes, vol. ii. pp. 322, 347.

her demise, attended the succession of the crown. The partisans of the Queen of Scots and those of the house of Suffolk already divided the nation into factions; and every one foresaw that though it might be possible at present to determine the controversy by law, yet, if the throne were vacant, nothing but the sword would be able to fix a successor. The Commons, therefore, on the opening of the session, voted an address to the queen, in which, after enumerating the dangers attending a broken and doubtful succession, and mentioning the evils which their fathers had experienced from the contending titles of York and Lancaster, they entreated the queen to put an end to their apprehensions by choosing some husband, whom they promised, whoever he were, gratefully to receive and faithfully to serve, honor and obey; or if she had entertained any reluctance to the married state, they desired that the lawful successor might be named, at least appointed by act of Parliament. They remarked that, during all the reigns which had passed since the Conquest, the nation had never before been so unhappy as not to know the person who, in case of the sovereign's death, was legally entitled to fill the vacant throne. And they observed that the fixed order which took place in inheriting the French monarchy was one chief source of the usual tranquillity, as well as of the happiness, of that kingdom.<sup>15</sup>

This subject, though extremely interesting to the nation, was very little agreeable to the queen; and she was sensible that great difficulties would attend every decision. A declaration in favor of the Queen of Scots would form a settlement perfectly legal, because that princess was commonly allowed to possess the right of blood; and the exclusion given by Henry's will, deriving its weight chiefly from an act of Parliament, would lose all authority whenever the queen and Parliament had made a new settlement and restored the Scottish line to its place in the succession. But she dreaded giving encouragement to the Catholics, her secret enemies, by this declaration. She was sensible that every heir was, in some degree, a rival; much more one who enjoyed a claim for the present possession of the crown, and who had already advanced, in a very open manner, these dangerous pretensions. The great power of Mary, both from the favor of the Catholic princes and her connections with the house of Guise, not to mention the force and

<sup>15</sup> Sir Simon D'Ewes's Journal, p. 81.



situation of Scotland, was well known to her ; and she saw no security that this princess, if fortified by a sure prospect of succession, would not revive claims which she could never yet be prevailed on formally to relinquish. On the other hand, the title of the house of Suffolk was supported by the more zealous Protestants only ; and it was very doubtful whether even a Parliamentary declaration in its favor would bestow on it such validity as to give satisfaction to the people. The republican part of the constitution had not yet acquired such an ascendant as to control, in any degree, the ideas of hereditary right ; and as the legality of Henry's will was still disputed, though founded on the utmost authority which a Parliament could confer, who could be assured that a more recent act would be acknowledged to have greater validity ? In the frequent revolutions which had of late taken place the right of blood had still prevailed over religious prejudices ; and the nation had ever shown itself disposed rather to change its faith than the order of succession. Even many Protestants declared themselves in favor of Mary's claim of inheritance ;<sup>16</sup> and nothing would occasion more general disgust than to see the queen, openly and without reserve, take part against it. The Scottish princess, also, finding herself injured in so sensible a point, would thenceforth act as a declared enemy ; and, uniting together her foreign and domestic friends, the partisans of her present title and of her eventual succession, would soon bring matters to extremities against the present establishment. The queen, weighing all these inconveniences, which were great and urgent, was determined to keep both parties in awe by maintaining still an ambiguous conduct ; and she rather chose that the people should run the hazard of contingent events than that she herself should visibly endanger her throne by employing expedients which, at best, would not bestow entire security on the nation. She gave, therefore, an evasive answer to the application of the Commons ; and when the House, at the end of the session, desired, by the mouth of their speaker, farther satisfaction on that head, she could not be prevailed on to make her reply more explicit. She only told them, contrary to her declaration in the beginning of her reign, that she had fixed no absolute resolution against marriage ; and she added that the difficulties attending the question of the succession were so great that she would be contented, for the sake of her people, to

<sup>16</sup> Keith, p. 322.

remain some time longer in this vale of misery, and never should depart life with satisfaction till she had laid some solid foundation for their future security.<sup>17</sup>

The most remarkable law passed this session was that which bore the title of *Assurance of the queen's royal power over all states and subjects within her dominions*.<sup>18</sup> By this act, the asserting twice, by writing, word, or deed, the pope's authority was subjected to the penalties of treason. All persons in holy orders were bound to take the oath of supremacy, as also all who were advanced to any degree either in the universities or in common law; all school-masters, officers in court, or members of Parliament; and the penalty of their second refusal was treason. The first offence, in both cases, was punished by banishment and forfeiture. This rigorous statute was not extended to any of the degree of a baron, because it was not supposed that the queen could entertain any doubt with regard to the fidelity of persons possessed of such high dignity. Lord Montacute made opposition to the bill, and asserted, in favor of the Catholics, that they disputed not, they preached not, they disobeyed not the queen, they caused no trouble, no tumults among the people.<sup>19</sup> It is, however, probable that some suspicions of their secret conspiracies had made the queen and Parliament increase their rigor against them; though it is also more than probable that they were mistaken in the remedy.

There was likewise another point in which the Parliament, this session, showed more the goodness of their intention than the soundness of their judgment. They passed a law against fond and fantastical prophecies, which had been observed to seduce the people into rebellion and disorder;<sup>20</sup> but at the same time they enacted a statute which was most likely to increase these and such like superstitions; it was levelled against conjurations, enchantments, and witchcraft.<sup>21</sup> Witchcraft and heresy are two crimes which commonly increase by punishment, and never are so effectually suppressed as by being totally neglected. After the Parliament had granted the queen a supply of one subsidy and two fifteenths, the session was finished by a prorogation. The convocation likewise voted the queen a subsidy of six shillings in the pound, payable in three years.

While the English parties exerted these calm efforts

<sup>17</sup> Sir Simon D'Ewes's Journal, p. 75.

<sup>19</sup> Strype, vol. i. p. 260.

<sup>20</sup> 5 Eliz. cap. 15.

<sup>18</sup> 5 Eliz. cap. 1.

<sup>21</sup> 5 Eliz. cap. 16.

against each other in parliamentary votes and debates, the French factions, inflamed to the highest degree of animosity, continued that cruel war which their intemperate zeal, actuated by the ambition of their leaders, had kindled in the kingdom. The admiral was successful in reducing the towns of Normandy which held for the king; but he frequently complained that the numerous garrison of Havre remained totally inactive, and was not employed in any military operation against the common enemy. The queen, in taking possession of that place, had published a manifesto<sup>22</sup> in which she pretended that her concern for the interests of the French king had engaged her in that measure, and that her sole intention was to oppose her enemies of the house of Guise, who held their prince in captivity and employed his power to the destruction of his best and most faithful subjects. It was chiefly her desire to preserve appearances, joined to the great frugality of her temper, which made her, at this critical juncture, keep her soldiers in garrison and restrain them from committing farther hostilities upon the enemy.<sup>23</sup> The Duke of Guise, meanwhile, was aiming a mortal blow at the power of the Huguenots; and had commenced the siege of Orleans, of which Anselot was governor, and where the constable was detained prisoner. He had the prospect of speedy success in this undertaking, when he was assassinated by Poltrot, a young gentleman, whose zeal instigated (as is pretended, though without any certain foundation) by the admiral and Beza, a famous preacher, led him to attempt that criminal enterprise. The death of this gallant prince was a sensible loss to the Catholic party; and though the Cardinal of Lorraine, his brother, still supported the interests of the family, the danger of their progress appeared not so imminent either to Elizabeth or to the French Protestants. The union, therefore, between these allies, which had been cemented by their common fears, began thenceforth to be less intimate; and the leaders of the Huguenots were persuaded to hearken to terms of a separate accommodation. Condé and Montmorency held conferences for settling the peace; and as they were both of them impatient to relieve themselves from captivity, they soon came to an agreement with regard to the conditions. The character of the queen-regent, whose ends were always violent, but who endeavored, by subtlety and policy rather than force, to attain them, led her to embrace any plausible

<sup>22</sup> Forbes, vol. ii.<sup>23</sup> Forbes, vol. ii. pp. 276, 277,

terms, and, in spite of the protestations of the admiral, whose sagacity could easily discover the treachery of the court, the articles of agreement were finally settled between the parties. A toleration, under some restrictions, was anew granted to the Protestants; a general amnesty was published; Condé was reinstated in his offices and governments; and after money was advanced for the payment of arrears due to the German troops, they were dismissed the kingdom.

By the agreement between Elizabeth and the Prince of Condé, it had been stipulated<sup>24</sup> that neither party should conclude peace without the consent of the other; but this article was at present but little regarded by the leaders of the French Protestants. They only comprehended her so far in the treaty as to obtain a promise that, on her relinquishing Havre, her charges and the money which she had advanced them should be repaid her by the King of France, and that Calais, on the expiration of the term, should be restored to her. But she disdained to accept of these conditions; and thinking the possession of Havre a much better pledge for effecting her purpose, she sent Warwick orders to prepare himself against an attack from the now united power of the French monarchy.

The Earl of Warwick, who commanded a garrison of six thousand men, besides seven hundred pioneers, had no sooner got possession of Havre than he employed every means for putting it in a posture of defence;<sup>25</sup> and after expelling the French from the town, he encouraged his soldiers to make the most desperate defence against the enemy. The constable commanded the French army; the queen-regent herself and the king were present in the camp; even the Prince of Condé joined the king's forces, and gave countenance to this enterprise; the admiral and Anselot alone, anxious still to preserve the friendship of Elizabeth, kept at a distance, and prudently refused to join their ancient enemies in an attack upon their allies.

From the force and dispositions and situations of both sides, it was expected that the siege would be attended with some memorable event; yet did France make a much easier acquisition of this important place than was at first apprehended. The plague crept in among the English soldiers; and being increased by their fatigue and bad diet (for they were but ill supplied with provisions),<sup>26</sup> it made such ravages

<sup>24</sup> Forbes, vol. ii. p. 79. <sup>25</sup> Forbes, vol. ii. p. 158. <sup>26</sup> Forbes, vol. ii. pp. 377, 498.



that sometimes a hundred men a day died of it, and there remained not at last fifteen hundred in a condition to do duty.<sup>27</sup> The French, meeting with such feeble resistance, carried on their attacks successfully; and having made two breaches, each of them sixty feet wide, they prepared for a general assault, which must have terminated in the slaughter of the whole garrison.<sup>28</sup> Warwick, who had frequently warned the English council of the danger, and who had loudly demanded a supply of men and provisions, found himself obliged to capitulate, and to content himself with the liberty of withdrawing his garrison. The articles were no sooner signed than Lord Clinton, the admiral, who had been detained by contrary winds, appeared off the harbor with a reinforcement of three thousand men, and found the place surrendered to the enemy. To increase the misfortune, the infected army brought the plague with them into England, where it swept off great multitudes, particularly in the city of London. Above twenty thousand persons there died of it in one year.<sup>29</sup>

Elizabeth, whose usual vigor and foresight had not appeared in this transaction, was now glad to compound matters; and as the queen-regent desired to obtain leisure in order to prepare measures for the extermination of the Huguenots, she readily hearkened to any reasonable terms of accommodation with England.<sup>30</sup> It was agreed that the hostages which the French had given for the restitution of Calais should be restored for two hundred and twenty thousand crowns, and that both sides should retain all their claims and pretensions.

The peace still continued with Scotland; and even a cordial friendship seemed to have been cemented between Elizabeth and Mary. These princesses made profession of the most entire affection; wrote amicable letters every week to each other; and had adopted, in all appearance, the sentiments as well as style of sisters. Elizabeth punished one Hales, who had published a book against Mary's title;<sup>31</sup> and as the lord keeper, Bacon, was thought to have encouraged Hales in this undertaking, he fell under her displeasure, and is was with some difficulty he was able to give her satisfaction and recover her favor.<sup>32</sup> The two queens had agreed in the foregoing summer to an interview at York<sup>33</sup> in order

<sup>27</sup> Forbes, vol. ii. pp. 450, 458.

<sup>29</sup> See note [P] at the end of the volume.

<sup>31</sup> Keith, p. 252.

<sup>32</sup> Keith, p. 253.

<sup>28</sup> Forbes, vol. ii. p. 498.

<sup>30</sup> Davila, lib. 3.

<sup>33</sup> Haynes, p. 388.

to remove all difficulties with regard to Mary's ratification of the treaty of Edinburgh, and to consider of the proper method for settling the succession of England; but as Elizabeth carefully avoided touching on this delicate subject, she employed a pretence of the wars in France, which, she said, would detain her in London; and she delayed till next year the intended interview. It is also probable that, being well acquainted with the beauty and address and accomplishments of Mary, she did not choose to stand the comparison with regard to those exterior qualities in which she was eclipsed by her rival, and was unwilling that a princess who had already made great progress in the esteem and affections of the English should have a farther opportunity of increasing the number of her partisans.

Mary's close connections with the house of Guise, and her devoted attachment to her uncles, by whom she had been early educated and constantly protected, was the ground of just and insurmountable jealousy to Elizabeth, who regarded them as her mortal and declared enemies, and was well acquainted with their dangerous character and ambitious projects. They had made offer of their niece to Don Carlos, Philip's son; to the King of Sweden, the King of Navarre, the Archduke Charles, the Duke of Ferrara, the Cardinal of Bourbon, who had only taken deacon's orders, from which he might easily be freed by a dispensation; and they were ready to marry her to any one who could strengthen their interests, or give inquietude and disturbance to Elizabeth.<sup>34</sup> Elizabeth, on her part, was equally vigilant to prevent the execution of their schemes, and was particularly anxious lest Mary should form any powerful foreign alliance which might tempt her to revive her pretensions to the crown, and to invade the kingdom on the side where it was weakest and lay most exposed.<sup>35</sup> As she believed that the marriage with the Archduke Charles was the one most likely to have place, she used every expedient to prevent it; and, besides remonstrating against it to Mary herself, she endeavored to draw off the archduke from that pursuit by giving him some hopes of success in his pretensions to herself, and by inviting him to a renewal of the former treaty of marriage.<sup>36</sup> She always told the Queen of Scots that nothing would satisfy her but her espousing some English nobleman, who would remove all grounds of jealousy

<sup>34</sup> Forbes, vol. ii. p. 287. Strype, vol. i. p. 400.

<sup>35</sup> Keith, pp. 247, 284.

<sup>36</sup> Melvil, p. 41.

and cement the union between the kingdoms ; and she offered, on this condition, to have her title examined, and to declare her successor to the crown.<sup>37</sup> After keeping the matter in these general terms during a twelvemonth, she at last named Lord Robert Dudley, now created Earl of Leicester, as the person on whom she desired that Mary's choice should fall.

The Earl of Leicester, the great and powerful favorite of Elizabeth, possessed all those exterior qualities which are naturally alluring to the fair sex : a handsome person, a polite address, and insinuating behavior ; and, by means of these accomplishments, he had been able to blind even the penetration of Elizabeth, and conceal from her the great defects, or rather odious vices, which attended his character. He was proud, insolent, interested, ambitious ; without honor, without generosity, without humanity ; and atoned not for these bad qualities by such abilities or courage as could fit him for that high trust and confidence with which she always honored him. Her constant and declared attachment to him had naturally emboldened him to aspire to her bed ; and in order to make way for these nuptials, he was universally believed to have murdered in a barbarous manner his wife, the heiress of one Robesart. The proposal of espousing Mary was by no means agreeable to him ; and he always ascribed it to the contrivance of Cecil, his enemy, who, he thought, intended by that artifice to make him lose the friendship of Mary from the temerity of his pretensions, and that of Elizabeth from jealousy of his attachments to another woman.<sup>38</sup> The queen herself had not any serious intention of effecting this marriage ; but as she was desirous that the Queen of Scots should never have any husband, she named a man who, she believed, was not likely to be accepted of ; and she hoped, by that means, to gain time and elude the project of any other alliance. The Earl of Leicester was too great a favorite to be parted with ; and when Mary, allured by the prospect of being declared successor to the crown, seemed at last to hearken to Elizabeth's proposal, this princess receded from her offers, and withdrew the bait which she had thrown out to her rival.<sup>39</sup> This duplicity of conduct, joined to some appearance of an imperious superiority assumed by her, had drawn a peevish letter from Mary ; and the seemingly amicable correspondence between

<sup>37</sup> Keith, pp. 243, 249, 259, 265.

<sup>39</sup> Keith, pp. 269, 270. Appendix, p. 158. Strype, vol. i. p. 414.

<sup>38</sup> Camden, p. 396.

the two queens was, during some time, interrupted. In order to make up the breach, the Queen of Scots despatched Sir James Melvil to London, who has given us, in his *Memoirs*, a particular account of his negotiation.

Melvil was an agreeable courtier, a man of address and conversation; and it was recommended to him by his mistress that, besides grave reasonings concerning politics and state affairs, he should introduce more entertaining topics of conversation, suitable to the sprightly character of Elizabeth, and should endeavor by that means to insinuate himself into her confidence. He succeeded so well that he threw that artful princess entirely off her guard,<sup>40</sup> and made her discover the bottom of her heart, full of all those levities and follies, and ideas of rivalry, which possess the youngest and most frivolous of her sex. He talked to her of his travels, and forgot not to mention the different dresses of the ladies in different countries, and the particular advantages of each in setting off the beauties of the shape and person. The queen said that she had dresses of all countries; and she took care thenceforth to meet the ambassador every day apparelled in a different habit: sometimes she was dressed in the English garb, sometimes in the French, sometimes in the Italian; and she asked him which of them became her most. He answered, the Italian—a reply that he knew would be agreeable to her, because that mode showed to advantage her flowing locks, which, he remarked, though they were more red than yellow, she fancied to be the finest in the world. She desired to know of him what was reputed the best color of hair: she asked whether his queen or she had the finest hair; she even inquired which of them he esteemed the fairest person—a very delicate question, and which he prudently eluded by saying that her majesty was the fairest person in England, and his mistress in Scotland. She next demanded which of them was tallest; he replied his queen. “Then is she too tall,” said Elizabeth; “for I myself am of a just stature.” Having learned from him that his mistress sometimes recreated herself by playing on the harpsichord, an instrument on which she herself excelled, she gave orders to Lord Hunsdon that he should lead the ambassador, as it were casually, into an apartment, where he might hear her perform; and when Melvil, as if ravished with the harmony, broke into the queen’s apartment, she pretended to be displeased with his intrusion; but still took

<sup>40</sup> Haynes, p. 447.



care to ask him whether he thought Mary or her the best performer on that instrument? <sup>41</sup> From the whole of her behavior, Melvil thought he might, on his return, assure his mistress that she had no reason ever to expect any cordial friendship from Elizabeth, and that all her professions of amity were full of falsehood and dissimulation.

After two years had been spent in evasions and artifices, <sup>42</sup> Mary's subjects and counsellors, and probably herself, began to think it full time that some marriage were concluded; and Lord Darnley, son of the Earl of Lenox, was the person in whom most men's opinions and wishes centred. He was Mary's cousin-german, by the Lady Margaret Douglas, niece to Henry VIII., and daughter of the Earl of Angus, by Margaret, Queen of Scotland. He had been born and educated in England, where the Earl of Lenox had constantly resided since he had been banished by the prevailing power of the house of Hamilton; and as Darnley was now in his twentieth year, and was a very comely person, tall, and delicately shaped, it was hoped that he might soon render himself agreeable to the Queen of Scots. He was also by his father a branch of the same family with herself, and would, in espousing her, preserve the royal dignity in the house of Stuart; he was, after her, next heir to the crown of England, and those who pretended to exclude her on account of her being a foreigner had endeavored to recommend his title and give it the preference. It seemed no inconsiderable advantage that she could by marrying unite both their claims; and as he was by birth an Englishman, and could not, by his power or alliances, give any ground of suspicion to Elizabeth, it was hoped that the proposal of this marriage would not be unacceptable to that jealous princess.

Elizabeth was well informed of these intentions, <sup>43</sup> and was secretly not displeased with the projected marriage between Darnley and the Queen of Scots. <sup>44</sup> She would rather have wished that Mary had continued forever in a single life; but, finding little probability of rendering this scheme effectual, she was satisfied with a choice which freed her at once from the dread of a foreign alliance and from the necessity of parting with Leicester, her favorite. In order to pave the way to Darnley's marriage, she secretly desired Mary to invite Lenox into Scotland, to reverse his attainder, and to restore him to his honors and fortune. <sup>45</sup> And when

<sup>41</sup> Melvil, pp. 49, 50.

<sup>42</sup> Keith, p. 264.

<sup>43</sup> Keith, p. 261.

<sup>44</sup> Jebb, pp. 280, 282.

Keith, vol. ii. p. 46.

<sup>45</sup> Keith, pp. 255, 259, 272.

her request was complied with, she took care, in order to preserve the friendship of the Hamiltons and her other partisans in Scotland, to blame openly this conduct of Mary.<sup>46</sup> Hearing that the negotiation for Darnley's marriage advanced apace, she gave that nobleman permission, on his first application, to follow his father into Scotland; but no sooner did she learn that the Queen of Scots was taken with his figure and person, and that all measures were fixed for espousing him, than she exclaimed against the marriage; sent Throgmorton to order Darnley immediately, upon his allegiance, to return to England; threw the Countess of Lenox and her second son into the Tower, where they suffered a rigorous confinement; seized all Lenox's English estate; and, though it was impossible for her to assign one single reason for her displeasure,<sup>47</sup> she menaced and protested and complained, as if she had suffered the most grievous injury in the world.

The politics of Elizabeth, though judicious, were usually full of duplicity and artifice, but never more so than in her transactions with the Queen of Scots, where there entered so many little passions and narrow jealousies that she durst not avow to the world the reasons of her conduct, scarcely to her ministers, and scarcely even to herself. But besides a womanish rivalship and envy against the marriage of this princess, she had some motives of interest for feigning a displeasure on the present occasion. It served her as a pretence for refusing to acknowledge Mary's title to the succession of England—a point to which, for good reasons, she was determined never to consent; and it was useful to her for a purpose still more unfriendly and dangerous; for encouraging the discontents and rebellion of the Scottish nobility and ecclesiastics.<sup>48</sup>

Nothing can be more unhappy for a people than to be governed by a sovereign attached to a religion different from the established, and it is scarcely possible that mutual confidence can ever, in such a situation, have place between the prince and his subjects. Mary's conduct had been hitherto, in every respect, unexceptionable, and even laudable, yet had she not made such progress in acquiring popularity as might have been expected from her gracious deportment and agreeable accomplishments. Suspicions every moment prevailed on account of her attachment to the Catholic faith, and especially to her uncles, the open and

<sup>46</sup> Melvil, p. 42.

Keith, pp. 274, 275.

<sup>48</sup> Keith, p. 290

avowed promoters of the scheme for exterminating the professors of the reformed religion throughout all Europe. She still refused to ratify the acts of Parliament which had established the Reformation; she made attempts for restoring to the Catholic bishops some part of their civil jurisdiction;<sup>49</sup> and she wrote a letter to the council of Trent, in which, besides professing her attachment to the Catholic faith, she took notice of her title to succeed to the crown of England, and expressed her hopes of being able, in some period, to bring back all her dominions to the bosom of the church.<sup>50</sup> The zealots among the Protestants were not wanting in their turn to exercise their insolence against her, which tended still more to alienate her from their faith. A law was enacted making it capital, on the very first offence, to say mass anywhere except in the queen's chapel;<sup>51</sup> and it was with difficulty that even this small indulgence was granted her; the general assembly importuned her anew to change her religion, to renounce the blasphemous idolatry of the mass, with the tyranny of the Roman Antichrist, and to embrace the true religion of Christ Jesus.<sup>52</sup> As she answered with temper that she was not yet convinced of the falsity of her religion or the impiety of the mass, and that her apostasy would lose her the friendship of her allies on the continent, they replied by assuring her that their religion was undoubtedly the same which had been revealed by Jesus Christ, which had been preached by the apostles, and which had been embraced by the faithful in the primitive ages; that neither the religion of Turks, Jews, nor Papists was built on so solid a foundation as theirs; that they alone, of all the various species of religionists spread over the face of the earth, were so happy as to be possessed of the truth; that those who hear, or rather who gaze on, the mass, allow sacrilege, pronounce blasphemy, and commit most abominable idolatry; and that the friendship of the King of kings was preferable to all the alliances in the world.<sup>53</sup>

The marriage of the Queen of Scots had kindled afresh the zeal of the reformers, because the family of Lenox was believed to adhere to the Catholic faith; and though Darnley, who now bore the name of King Henry, went often to the established church, he could not, by this exterior compliance, gain the confidence and regard of the ecclesiastics. They rather laid hold of the opportunity to insult him to his face;

<sup>49</sup> Spotswood, p. 198.<sup>50</sup> Father Paul, lib. 7.<sup>51</sup> Keith, p. 268.<sup>52</sup> Keith, p. 545. Knox, p. 374.<sup>53</sup> Keith, pp. 550, 551.

and Knox scrupled not to tell him from the pulpit that God, for punishment of the offences and ingratitude of the people, was wont to commit the rule over them to boys and women.<sup>54</sup> The populace of Edinburgh, instigated by such doctrines, began to meet and to associate themselves against the government.<sup>55</sup> But what threatened more immediate danger to Mary's authority were the discontents which prevailed among some of the principal nobility.

The Duke of Chatelrault was displeased with the restoration, and still more with the aggrandizement, of the family of Lenox, his hereditary enemies, and entertained fears lest his own eventual succession to the crown of Scotland should be excluded by his rival, who had formerly advanced some pretensions to it. The Earl of Murray found his credit at court much diminished by the interest of Lenox and his son, and began to apprehend the revocation of some considerable grants which he had obtained from Mary's bounty. The Earls of Argyle, Rothes, and Glencairne, the Lords Boyde and Ochiltry, Kirkaldy of Grange, Pittarow, were instigated by like motives; and as these were the persons who had most zealously promoted the Reformation, they were disgusted to find that the queen's favor was entirely engrossed by a new cabal, the Earls of Bothwell, Athol, Sutherland, and Huntley—men who were esteemed either lukewarm in religious controversy or inclined to the Catholic party. The same ground of discontent, which, in other courts, is the source of intrigue, faction, and opposition, commonly produced in Scotland either projects of assassination or of rebellion; and, besides mutual accusations of the former kind, which it is difficult to clear up,<sup>56</sup> the malcontent lords, as soon as they saw the queen's marriage entirely resolved on, entered into a confederacy for taking arms against their sovereign. They met at Stirling, pretended an anxious concern for the security of religion, framed engagements for mutual defence, and made applications to Elizabeth for assistance and protection.<sup>57</sup> That princess, after publishing expressions of her displeasure against the marriage, had secretly ordered her ambassadors, Randolf and Throgmorton, to give, in her name, some promises of support to the malcontents, and had even sent them a supply of ten thousand pounds to enable them to begin an insurrection.<sup>58</sup>

<sup>54</sup> Keith, p. 546. Knox, p. 381.

<sup>55</sup> Knox, p. 377.

<sup>56</sup> See note [Q] at the end of the volume.

<sup>57</sup> Keith, pp. 293, 294, 300, 301.

<sup>58</sup> Knox, p. 380. Keith, Append. p. 164. Anderson, vol. iii. p. 194.



Mary was no sooner informed of the meeting at Stirling and the movements of the lords than she summoned them to appear at court, in order to answer for their conduct; and, having levied some forces to execute the laws, she obliged the rebels to leave the low countries, and take shelter in Argyleshire. That she might more effectually cut off their resources, she proceeded with the king to Glasgow, and forced them from their retreat. They appeared at Paisley, in the neighborhood, with about a thousand horse, and, passing the queen's army, proceeded to Hamilton, thence to Edinburgh, which they entered without resistance. They expected great reinforcements in this place, from the efforts of Knox and the seditious preachers, and they beat their drums, desiring all men to enlist, and to receive wages for the defence of God's glory.<sup>59</sup> But the nation was in no disposition for rebellion; Mary was esteemed and beloved, her marriage was not generally disagreeable to the people, and the interested views of the malcontent lords were so well known that their pretence of zeal for religion had little influence even on the ignorant populace.<sup>60</sup> The king and queen advanced to Edinburgh at the head of their army; the rebels were obliged to retire into the south; and, being pursued by a force, which now amounted to eighteen thousand men,<sup>61</sup> they found themselves under a necessity of abandoning their country and of taking shelter in England.

Elizabeth, when she found the event so much to disappoint her expectations, thought proper to disavow all connections with the Scottish malcontents, and to declare everywhere that she had never given them any encouragement nor any promise of countenance or assistance. She even carried farther her dissimulation and hypocrisy. Murray had come to London with the Abbott of Kilwinning, agent for Chatelrault, and she seduced them, by secret assurances of protection, to declare, before the ambassadors of France and Spain, that she had nowise contributed to their insurrection. No sooner had she extorted this confession from them than she chased them from her presence, called them unworthy traitors, declared that their detestable rebellion was of bad example to all princes, and assured them that as she had hitherto given them no encouragement, so should they never thenceforth receive from her

<sup>59</sup> Knox, p. 381.<sup>60</sup> Knox, pp. 380, 385.<sup>61</sup> Knox, p. 388.

any assistance or protection.<sup>62</sup> Throgmorton alone, whose honor was equal to his abilities, could not be prevailed on to conceal the part which he had acted in the enterprise of the Scottish rebels, and, being well apprised of the usual character and conduct of Elizabeth, he had had the precaution to obtain an order of council to authorize the engagements which he had been obliged to make with them.<sup>63</sup>

The banished lords, finding themselves so harshly treated by Elizabeth, had recourse to the clemency of their own sovereign; and, after some solicitation and some professions of sincere repentance, the Duke of Chatelrault obtained his pardon on condition that he should retire into France. Mary was more implacable against the ungrateful Earl of Murray and the other confederates, on whom she threw the chief blame of the enterprise; but as she was continually plied with applications from their friends, and as some of her most judicious partisans in England thought that nothing would more promote her interests in that kingdom than the gentle treatment of men so celebrated for their zeal against the Catholic religion, she agreed to give way to her natural temper, which inclined not to severity, and she seemed determined to restore them to favor.<sup>64</sup> In this interval Rambouillet arrived as ambassador from France, and brought her advice from her uncle, the Cardinal of Lorraine, to whose opinions she always paid an extreme deference, by no means to pardon these Protestant leaders who had been engaged in a rebellion against her.<sup>65</sup>

The two religions in France, as well as in other parts of Europe, were rather irritated than tired with their acts of mutual violence; and the peace granted to the Huguenots, as had been foreseen by Coligny, was intended only to lull them asleep and prepare the way for their final and absolute destruction. The queen-regent made a pretence of travelling through the kingdom in order to visit the provinces and correct all the abuses arising from the late civil war; and after having held some conferences on the frontiers with the Duke of Lorraine and the Duke of Savoy, she came to Bayonne, where she was met by her daughter, the Queen of Spain, and the Duke of Alva. Nothing appeared in the congress of these two splendid courts but gayety, festivity, love, and joy; but amidst these smiling appear-

<sup>62</sup> Melvil, p. 57. Knox, p. 388. Keith, p. 319. Crawford, pp. 62, 63.

<sup>63</sup> Melvil, p. 60.

<sup>64</sup> Melvil, pp. 59, 60, 61, 62, 63. Keith, p. 322.

<sup>65</sup> Keith, p. 325. Melvil, p. 63.

ances were secretly fabricated schemes the most bloody, and the most destructive to the repose of mankind, that had ever been thought of in any age or nation. No less than a total and universal extermination of the Protestants by fire and sword was concerted by Philip and Catherine of Medicis; and Alva, agreeably to his fierce and sanguinary disposition, advised the queen-regent to commence the execution of this project by the immediate massacre of all the leaders of the Huguenots.<sup>66</sup> But that princess, though equally hardened against every humane sentiment, would not forego this opportunity of displaying her wit and refined politics; and she proposed, rather by treachery and dissimulation, which she called address, to lead the Protestants into the snare, and never to draw the sword until they were totally disabled from resistance. The Cardinal of Lorraine, whose character bore a greater affinity to that of Alva, was a chief author of this barbarous association against the reformers; and having connected his hopes of success with the aggrandizement of his niece, the Queen of Scots, he took care that her measures should correspond to those violent counsels which were embraced by the other Catholic princes. In consequence of this scheme, he turned her from the road of clemency which she intended to have followed, and made her resolve on the total ruin of the banished lords.<sup>67</sup> [1566.] A Parliament was summoned at Edinburgh for attainting them; and as their guilt was palpable and avowed, no doubt was entertained but sentence would be pronounced against them. It was by a sudden and violent incident, which, in the issue, brought on the ruin of Mary herself, that they were saved from the rigor of the law.

The marriage of the Queen of Scots with Lord Darnley was so natural, and so inviting in all its circumstances, that it had been precipitately agreed to by that princess and her council; and, while she was allured by his youth and beauty and exterior accomplishments, she had at first overlooked the qualities of his mind, which nowise corresponded to the excellence of his outward figure. Violent, yet variable in his resolutions; insolent, yet credulous, and easily governed by flatterers, he was destitute of all gratitude, because he thought no favors equal to his merit; and being addicted to low pleasures, he was equally incapable of all true sentiments of love and tenderness.<sup>68</sup> The Queen of

<sup>66</sup> Davila, lib. 3.

<sup>67</sup> Melvil, p. 63. Keith's Append. p. 176.

<sup>68</sup> Keith, pp. 287, 329. Append. p. 163.

Scots, in the first effusions of her fondness, had taken a pleasure in exalting him beyond measure: she had granted him the title of king; she had joined his name with her own in all public acts; she intended to have procured him from the Parliament a matrimonial crown; but having leisure afterwards to remark his weakness and vices, she began to see the danger of her profuse liberality, and was resolved thenceforth to proceed with more reserve in the trust which she should confer upon him. His resentment against this prudent conduct served but the more to increase her disgust; and the young prince, enraged at her imagined neglects, pointed his vengeance against every one whom he deemed the cause of this change in her measures and behavior.

There was in the court one David Rizzio, who had of late obtained a very extraordinary degree of confidence and favor with the Queen of Scots. He was a Piedmontese, of mean birth, son of a teacher of music, himself a musician; and, finding it difficult to subsist by his art in his own country, he had followed into Scotland an ambassador whom the Duke of Savoy had sent thither to pay his compliments to Mary, some time after her first arrival. He possessed a good ear and a tolerable voice; and as that princess found him useful to complete her band of music, she retained him in her service after the departure of his master. Her secretary for French despatches having, some time after, incurred her displeasure, she promoted Rizzio to that office, which gave him frequent opportunities of approaching her person and insinuating himself into her favor. He was shrewd and sensible, as well as aspiring, much beyond his rank and education; and he made so good use of the access which fortune had procured him that he was soon regarded as the chief confidant, and even minister, of the queen. He was consulted on all occasions; no favors could be obtained but by his intercession; and all suitors were obliged to gain him by presents and flattery; and the man insolent from his new exaltation, as well as rapacious in his acquisitions, soon drew on himself the hatred of the nobility and of the whole kingdom.<sup>69</sup> He had at first employed his credit to promote Darnley's marriage; and a firm friendship seemed to be established between them; but, on the subsequent change of the queen's sentiments, it was easy for Henry's friends to persuade him that Rizzio was the real author of her indif-

<sup>69</sup> Keith, pp. 282, 302. Crawford's Memoirs, p. 5. Spotswood, p. 193.



ference, and even to rouse in his mind jealousies of a more dangerous nature. The favorite was of a disagreeable figure, but was not past his youth;<sup>70</sup> and though the opinion of his criminal correspondence with Mary might seem of itself unreasonable, if not absurd, a suspicious husband could find no other means of accounting for that lavish and imprudent kindness with which she honored him. The rigid austerity of the ecclesiastics, who could admit of no freedoms, contributed to spread this opinion among the people; and as Rizzio was universally believed to be a pensionary of the pope's, and to be deeply engaged in all schemes against the Protestants, any story to his and Mary's disadvantage received an easy credit among the zealots of that communion.

Rizzio, who had connected the interests of the Roman Catholics, was the declared enemy of the banished lords; and by promoting the violent prosecutions against them, he had exposed himself to the animosity of their numerous friends and retainers. A scheme was also thought to be formed for revoking some exorbitant grants made during the queen's minority; and even the nobility who had seized the ecclesiastical benefices began to think themselves less secure in the possession of them;<sup>71</sup> the Earl of Morton, chancellor, was affected by all these considerations, and still more by a rumor spread abroad that Mary intended to appoint Rizzio chancellor in his place, and to bestow that dignity on a mean and upstart foreigner, ignorant of the laws and language of the country.<sup>72</sup> So indiscreet had this princess been in her kindness to Rizzio that even that strange report met with credit, and proved a great means of accelerating the ruin of the favorite. Morton, insinuating himself into Henry's confidence, employed all his art to inflame the discontent and jealousy of that prince, and he persuaded him that the only means of freeing himself from the indignities under which he labored was to bring the base stranger to the fate which he had so well merited, and which was so passionately desired by the whole nation. George Douglas, natural brother to the Countess of Lenox, concurred in the same advice; and the Lords Ruthven, and Lindesey, being consulted, offered their assistance in the enterprise; nor was even the Earl of Lenox, the king's father, averse to the design.<sup>73</sup> But

<sup>70</sup> See note [R] at the end of the volume.

<sup>71</sup> Keith, p. 326. Melvil, p. 64.

<sup>72</sup> Buchanan, lib. 17, c. 60. Crawford, p. 6. Spotswood, p. 194. Knox, p. 393. Jebb, vol. i. p. 456.

<sup>73</sup> Crawford, p. 7.

as these conspirators were well acquainted with Henry's levity they engaged him to sign a paper in which he avowed the undertaking, as tending to the glory of God and advancement of religion, and promised to protect them against every consequence which might ensue upon the assassination of Rizzio.<sup>74</sup> All these measures being concerted, a messenger was despatched to the banished lords, who were hovering near the borders; and they were invited by the king to return to their native country.

This design, so atrocious in itself, was rendered still more so by the circumstances which attended its execution. Mary, who was in the sixth month of her pregnancy, was supping in private, and had at table the Countess of Argyle, her natural sister, with Rizzio and others of her servants. The king entered the room by a private passage, and stood at the back of Mary's chair; Lord Ruthven, George Douglas, and other conspirators, being all armed, rushed in after him; and the Queen of Scots, terrified with the appearance, demanded of them the reason of this rude intrusion. They told her that they intended no violence against her person, but meant only to bring that villain, pointing at Rizzio, to his deserved punishment. Rizzio, aware of the danger, ran behind his mistress, and, seizing her by the waist, called aloud to her for protection; while she interposed in his behalf, with cries, and menaces, and entreaties. The impatient assassins, regardless of her efforts, rushed upon their prey, and, by overturning everything that stood in their way, increased the horror and confusion of the scene. Douglas, seizing Henry's dagger, stuck it in the body of Rizzio, who, screaming with fear and agony, was torn from Mary by the other conspirators, and pushed into the antechamber, where he was despatched with fifty-six wounds.<sup>75</sup> The unhappy princess, informed of his fate, immediately dried her tears, and said she would weep no more, she would now think of revenge. The insult, indeed, upon her person; the stain attempted to be fixed on her honor; the danger to which her life was exposed, on account of her pregnancy, were injuries so atrocious and so complicated that they scarcely left room for pardon even from the greatest lenity and mercy.

The assassins, apprehensive of Mary's resentment, detained her a prisoner in the palace; and the king dismissed

<sup>74</sup> Goodall, vol. i. p. 266. Crawford, p. 7.

<sup>75</sup> Melvil, p. 64. Keith, pp. 330, 331. Crawford, p. 9.

all who seemed willing to attempt her rescue, by telling them that nothing was done without his orders, and that he would be careful of the queen's safety. Murray and the banished lords appeared two days after, and Mary, whose anger was now engrossed by injuries more recent and violent, was willingly reconciled to them; and she even received her brother with tenderness and affection. They obtained an acquittal from Parliament, and were reinstated in their honors and fortunes. The accomplices also in Rizzio's murder applied to her for a pardon; but she artfully delayed compliance, and persuaded them that, so long as she was detained in custody and was surrounded by guards, any deed which she should sign would have no validity. Meanwhile she had gained the confidence of her husband by her persuasion and caresses; and no sooner were the guards withdrawn than she engaged him to escape with her in the night-time, and take shelter in Dunbar. Many of her subjects here offered her their services; and Mary, having collected an army which the conspirators had no power to resist, advanced to Edinburgh, and obliged them to fly into England, where they lived in great poverty and distress. They made applications, however, to the Earl of Bothwell, a new favorite of Mary's; and that nobleman, desirous of strengthening his party by the accession of their interest, was able to pacify her resentment; and he soon after procured them liberty to return into their own country.<sup>76</sup>

The vengeance of the Queen of Scots was implacable against her husband alone, whose person was before disagreeable to her, and who, by his violation of every tie of gratitude and duty, had now drawn on him her highest resentment. She engaged him to disown all connection with the assassins, to deny any concurrence in their crime, even to publish a proclamation containing a falsehood so notorious to the whole world;<sup>77</sup> and having thus made him expose himself to universal contempt, and rendered it impracticable for him ever to acquire the confidence of any party, she threw him off with disdain and indignation.<sup>78</sup> As if she had been making an escape from him, she suddenly withdrew to Alloa, a seat of the Earl of Marre's; and when Henry followed her thither, she suddenly returned to Edinburgh, and gave him everywhere the strongest proofs of displeasure and

<sup>76</sup> Melvil, pp. 75, 76. Keith, p. 334. Knox, p. 398.

<sup>77</sup> Goodall, vol. i. p. 280. Keith, Append. p. 167.

<sup>78</sup> Melvil, pp. 66, 67.

even antipathy. She encouraged her courtiers in their neglect of him ; and she was pleased that his mean equipage and small train of attendants should draw on him the contempt of the very populace. He was permitted, however, to have apartments in the castle of Edinburgh, which Mary had chosen for the place of her delivery. She there brought forth a son ; and as this was very important news to England, as well as to Scotland, she immediately despatched Sir James Melvil to carry intelligence of the happy event to Elizabeth. Melvil tells us that this princess, the evening of his arrival in London, had given a ball to her court at Greenwich, and was displaying all that spirit and alacrity which usually attended her on these occasions ; but when news arrived of the Prince of Scotland's birth, all her joy was damped ; she sunk into melancholy ; she reclined her head upon her arm ; and complained to some of her attendants that the Queen of Scots was mother of a fair son, while she herself was but a barren stock. Next day, however, at the reception of the ambassador, she resumed her former dissimulation, put on a joyful countenance, gave Melvil thanks for the haste he had made in conveying to her the agreeable intelligence, and expressed the utmost cordiality and friendship to her sister.<sup>79</sup> Some time after she despatched the Earl of Bedford with her kinsman, George Cary, son of Lord Hunsdon, in order to officiate at the baptism of the young prince ; and she sent by them some magnificent presents to the Queen of Scots.

The birth of a son gave additional zeal to Mary's partisans in England ;<sup>80</sup> and even men of the most opposite parties began to cry aloud for some settlement of the succession. These humors broke out with great vehemence in a new session of Parliament, held after six prorogations. The House of Peers, which had hitherto forbore to touch on this delicate point, here took the lead ; and the House of Commons soon after imitated the zeal of the Lords. Molineux opened the matter in the Lower House, and proposed that the question of the succession and that of supply should go hand in hand ; as if it were intended to constrain the queen to a compliance with the request of her Parliament.<sup>81</sup> The courtiers endeavored to elude the debate : Sir Ralph Sadler told the House that he had heard the queen positively affirm that, for the good of her people, she was determined to marry. Secretary Cecil and Sir Francis

<sup>79</sup> Melvil, pp. 69, 70.

<sup>80</sup> Camden, p. 397.

<sup>81</sup> D'Ewes, p. 129.



Knollys gave their testimony to the same purpose; as did also Sir Ambrose Cave, chancellor of the duchy, and Sir Edward Rogers, comptroller of the household.<sup>82</sup> Elizabeth's ambitious and masculine character was so well known that few members gave any credit to this intelligence; and it was considered merely as an artifice by which she endeavored to retract that positive declaration, which she had made in the beginning of her reign, that she meant to live and die a virgin. The ministers, therefore, gained nothing farther by this piece of policy than only to engage the House, for the sake of decency, to join the question of the queen's marriage with that of a settlement of the crown; and the Commons were proceeding with great earnestness in the debate, and had even appointed a committee to confer with the Lords, when express orders were brought them from Elizabeth not to proceed farther in the matter. Cecil told them that she pledged to the House the word of a queen for her sincerity in her intentions to marry; that the appointment of a successor would be attended with great danger to her person; that she herself had had experience, during the reign of her sister, how much court was usually paid to the next heir, and what dangerous sacrifices men were commonly disposed to make of their present duty to their future prospects; and that she was therefore determined to delay, till a more proper opportunity, the decision of that important question.<sup>83</sup> The House was not satisfied with these reasons, and still less with the command prohibiting them all debate on the subject. Paul Wentworth, a spirited member, went so far as to question whether such a prohibition were not an infringement of the liberties and privileges of the House.<sup>84</sup> Some even ventured to violate that profound respect which had hitherto been preserved to the queen; and they affirmed that she was bound in duty not only to provide for the happiness of her subjects during her own life, but also to pay regard to their future security by fixing a successor; that, by an opposite conduct, she showed herself the step-mother, not the natural parent, of her people, and would seem desirous that England should no longer subsist than she should enjoy the glory and satisfaction of governing it; that none but timorous princes, or tyrants, or faint-hearted women, ever stood in fear of their successors; and that the affections of the people were a firm and impregnable rampart to every sovereign who, laying

<sup>82</sup> D'Ewes, p. 124.<sup>83</sup> D'Ewes, pp. 127, 128.<sup>84</sup> D'Ewes, p. 128.

aside all artifice or by-ends, had courage and magnanimity to put his whole trust in that honorable and sure defence.<sup>85</sup> The queen, hearing of these debates, sent for the speaker, and, after reiterating her former prohibition, she bade him inform the House that if any member remained still unsatisfied, he might appear before the privy council and there give his reasons.<sup>86</sup> As the members showed a disposition, notwithstanding these peremptory orders, still to proceed upon the question, Elizabeth thought proper, by a message, to revoke them, and to allow the House liberty of debate.<sup>87</sup> They were so mollified by this gracious condescension that they thenceforth conducted the matter with more calmness and temper; and they even voted her a supply, to be levied at three payments, of a subsidy and a fifteenth, without annexing any condition to it. The queen soon after dissolved the Parliament, and told them, with some sharpness in the conclusion, that their proceedings had contained much dissimulation and artifice; that, under the plausible pretences of marriage and succession, many of them covered very malevolent intentions towards her; but that, however, she reaped this advantage from the attempts of these men, that she could now distinguish her friends from her enemies. "But do you think," added she, "that I am unmindful of your future security, or will be negligent in settling the succession? That is the chief object of my concern, as I know myself to be liable to mortality. Or do you apprehend that I meant to encroach on your liberties? No; it was never my meaning; I only intended to stop you before you approached the precipice. All things have their time; and though you may be blessed with a sovereign more wise or more learned than I, yet I assure you that no one will ever rule over you who shall be more careful of your safety. And therefore, henceforward, whether I live to see the like assembly or no, or whoever holds the reins of government, let me warn you to beware of provoking your sovereign's patience so far as you have done mine. But I shall now conclude that, notwithstanding the disgusts I have received (for I mean not to part with you in anger), the greater part of you may assure themselves that they go home in their prince's good graces."<sup>88</sup>

Elizabeth carried farther her dignity on this occasion. She had received the subsidy without any condition; but as

<sup>85</sup> Camden, p. 400.

<sup>86</sup> D'Ewes, pp. 116, 117.

<sup>86</sup> D'Ewes, p. 128.

<sup>87</sup> D'Ewes, p. 130.

it was believed that the Commons had given her that gratuity with a view of engaging her to yield to their requests, she thought proper, on her refusal, voluntarily to remit the third payment; and she said that money in her subjects' purses was as good to her as in her own exchequer.<sup>89</sup>

But though the queen was able to elude, for the present, the applications of Parliament, the friends of the Queen of Scots multiplied every day in England; and besides the Catholics, many of whom kept a treasonable correspondence with her, and were ready to rise at her command,<sup>90</sup> the court itself of Elizabeth was full of her avowed partisans. The Duke of Norfolk, the Earls of Leicester, Pembroke, Bedford, Northumberland, Sir Nicholas Throgmorton, and most of the considerable men in England, except Cecil, seemed convinced of the necessity of declaring her the successor. None but the more zealous Protestants adhered either to the Countess of Hertford or to her aunt, Eleanor, Countess of Cumberland; and as the marriage of the former seemed liable to some objections, and had been declared invalid, men were alarmed, even on that side, with the prospect of new disputes concerning the succession. Mary's behavior, also, so moderate towards the Protestants, and so gracious towards all men, had procured her universal respect;<sup>91</sup> and the public was willing to ascribe any imprudences into which she had fallen to her youth and inexperience. But all these flattering prospects were blasted by the subsequent incidents, where her egregious indiscretions, shall I say? or atrocious crimes, threw her from the height of her prosperity and involved her in infamy and in ruin.

The Earl of Bothwell was of a considerable family and power in Scotland; and though not distinguished by any talents either of a civil or military nature, he had made a figure in that party which opposed the greatness of the Earl of Murray and the more rigid reformers. He was a man of profligate manners; had involved his opulent fortune in great debts, and even reduced himself to beggary by his profuse expenses;<sup>92</sup> and seemed to have no resource but in desperate counsels and enterprises. He had been accused more than once of an attempt to assassinate Murray; and though the frequency of these accusations on all sides diminished somewhat the credit due to any particular imputation,

<sup>89</sup> Camden, p. 400.

<sup>90</sup> Haynes, pp. 446, 448.

<sup>91</sup> Melvil, pp. 53, 61, 74.

<sup>92</sup> Keith, p. 240.

they prove sufficiently the prevalence of that detestable practice in Scotland, and may in that view serve to render such rumors the more credible. This man had of late acquired the favor and entire confidence of Mary; and all her measures were directed by his advice and authority. Reports were spread of more particular intimacies between them; and these reports gained ground from the continuance, or rather increase, of her hatred towards her husband.<sup>93</sup> The young prince was reduced to such a state of desperation, by the neglects which he underwent from his queen and the courtiers, that he at once resolved to fly secretly into France or Spain, and had even provided a vessel for that purpose.<sup>94</sup> Some of the most considerable nobility, on the other hand, observing her rooted aversion to him, had proposed some expedients for a divorce; and though Mary is said to have spoken honorably on the occasion, and to have embraced the proposal no farther than it should be found consistent with her own honor and her son's legitimacy,<sup>95</sup> men were inclined to believe that the difficulty of finding proper means for effecting that purpose was the real cause of laying aside all farther thoughts of it. So far were the suspicions against her carried that when Henry, discouraged with the continual proofs of her hatred, left the court and retired to Glasgow, an illness of an extraordinary nature with which he was seized immediately on his arrival in that place was universally ascribed by her enemies to a dose of poison which, it was pretended, she had administered to him.

While affairs were in this situation, all those who wished well to her character, or to public tranquillity, were extremely pleased, and somewhat surprised, to hear that a friendship was again conciliated between them, that she had taken a journey to Glasgow on purpose to visit him during his sickness, that she behaved towards him with great tenderness, that she had brought him along with her, and that she appeared thenceforth determined to live with him on a footing more suitable to the connections between them. Henry, naturally uxorious, and not distrusting this sudden reconciliation, put himself implicitly into her hands and attended her to Edinburgh. She lived in the palace of Holyrood-house; but as the situation of the place was low, and the concourse of people about the court was necessarily at-

<sup>93</sup> Melvil, pp. 66, 67.

<sup>94</sup> Keith, pp. 345-348.

<sup>95</sup> Camden, p. 404. Goodall's *Queen Mary*, vol. ii. p. 317.



tended with noise, which might disturb him in his present infirm state of health, these reasons were assigned for fitting up an apartment for him in a solitary house at some distance, called the Kirk of Field. Mary here gave him marks of kindness and attachment; she conversed cordially with him; and she lay some nights in a room below his; but on the ninth of February she told him that she would pass that night in the palace, because the marriage of one of her servants was there to be celebrated in her presence. About two o'clock in the morning the whole town was much alarmed at hearing a great noise, and was still more astonished when it was discovered that the noise came from the king's house, which was blown up by gunpowder; that his dead body was found at some distance in a neighboring field; and that no marks, either of fire, contusion, or violence, appeared upon it.<sup>96</sup>

No doubt could be entertained but Henry was murdered; and general conjecture soon pointed towards the Earl of Bothwell as the author of the crime.<sup>97</sup> But as his favor with Mary was visible and his power great, no one ventured to declare openly his sentiments; and all men remained in silence and mute astonishment. Voices, however, were heard in the streets, during the darkness of the night, proclaiming Bothwell and even Mary herself to be the murderers of the king; bills were secretly affixed on the walls to the same purpose; offers were made that, upon giving proper securities, his guilt should be openly proved. But, after one proclamation from the court offering a reward and indemnity to any one that would discover the author of that villany, greater vigilance was employed in searching out the spreaders of the libels and reports against Bothwell and the queen than in tracing the contrivers of the king's assassination or detecting the regicides.<sup>98</sup>

The Earl of Lenox, who lived at a distance from court, in poverty and contempt, was roused by the report of his son's murder, and wrote to the queen, imploring speedy justice against the assassins, among whom he named the Earl of Bothwell, Sir James Balfour, and Gilbert Balfour his

<sup>96</sup> It was imagined that Henry had been strangled before the house was blown up. But this supposition is contradicted by the confession of the criminals; and there is no necessity to admit it in order to account for the condition of his body. There are many instances that men's lives have been saved who had been blown up in ships. Had Henry fallen on water, he had not probably been killed.

<sup>97</sup> Melvil, p. 78. Cabala, p. 136.

<sup>98</sup> Anderson's Collections, vol. ii. p. 38; vol. iv. pp. 167, 168. Spotswood, p. 200 Keith, p. 374.

brother, David Chalmers, and four others of the queen's household; all of them persons who had been mentioned in the bills affixed to the walls at Edinburgh.<sup>99</sup> Mary took his demand of speedy justice in a very literal sense; and, allowing only fifteen days for the examination of this important affair, she sent a citation to Lenox requiring him to appear in court and prove his charge against Bothwell.<sup>100</sup> This nobleman, meanwhile, and all the other persons accused by Lenox, enjoyed their full liberty;<sup>101</sup> Bothwell himself was continually surrounded with armed men;<sup>102</sup> took his place in council;<sup>103</sup> lived during some time in the house with Mary;<sup>104</sup> and seemed to possess all his wonted confidence and familiarity with her. Even the castle of Edinburgh, a place of great consequence in this critical time, was intrusted to him, and, under him, to his creature, Sir James Balfour, who had himself been publicly charged as an accomplice in the king's murder.<sup>105</sup> Lenox, who had come as far as Stirling with a view of appearing at the trial, was informed of all these circumstances; and, reflecting on the small train which attended him, he began to entertain very just apprehensions from the power, insolence, and temerity of his enemy. He wrote to Mary, desiring that the day of trial might be prorogued; and conjured her, by all the regard which she bore to her own honor, to employ more leisure and deliberation in determining a question of such extreme moment.<sup>106</sup> No regard was paid to his application; the jury was inclosed, of which the Earl of Caithness was chancellor; and though Lenox, foreseeing this precipitation, had ordered Cunningham, one of his retinue, to appear in court and protest, in his name, against the acquittal of the criminal, the jury proceeded to a verdict.<sup>107</sup> The verdict was such as it behooved them to give where neither accuser nor witness appeared; and Bothwell was absolved from the king's murder. The jury, however, apprehensive that their verdict would give great scandal, and perhaps expose them afterwards to some danger, entered a protest in which they represented the necessity of their proceedings.<sup>108</sup> It is remarkable that the indictment was laid against Bothwell for committing the crime on the ninth of February, not

<sup>99</sup> Keith, p. 372. Anderson, vol. ii. p. 3.

<sup>101</sup> Keith, pp. 374, 375.

<sup>103</sup> Anderson, vol. i. pp. 38, 40, 50, 52.

<sup>105</sup> Spotswood, p. 201.

<sup>107</sup> Keith, p. 376. Anderson, vol. ii. p. 106. Spotswood, p. 201.

<sup>108</sup> Spotswood, p. 201. Anderson, vol. i. p. 113.

<sup>100</sup> Keith, p. 373.

<sup>102</sup> Keith, p. 405.

<sup>104</sup> Anderson, vol. ii. p. 274.

<sup>106</sup> Keith, p. 375. Anderson, vol. i. p. 52.

the tenth, the real day on which Henry was assassinated.<sup>109</sup> The interpretation generally put upon this error, too gross, it was thought, to have proceeded from mistake, was that the secret council, by whom Mary was governed, not trusting entirely to precipitation, violence, and authority, had provided this plea, by which they insured, at all adventures, a plausible pretence for acquitting Bothwell.

Two days after this extraordinary transaction a Parliament was held; and though the verdict in favor of Bothwell was attended with such circumstances as strongly confirmed, rather than diminished, the general opinion of his guilt, he was the person chosen to carry the royal sceptre on the first meeting of the national assembly.<sup>110</sup> In this Parliament a rigorous act was made against those who set up defamatory bills, but no notice was taken of the king's murder.<sup>111</sup> The favor which Mary openly bore to Bothwell kept every one in awe; and the effects of this terror appeared more plainly in another transaction, which ensued immediately upon the dissolution of the Parliament. A bond, or association, was framed, in which the subscribers, after relating the acquittal of Bothwell by a legal trial, and mentioning a farther offer, which he had made, to prove his innocence by single combat, oblige themselves, in case any person should afterwards impute to him the king's murder, to defend him with their whole power against such calumniators. After this promise, which implied no great assurance in Bothwell of his own innocence, the subscribers mentioned the necessity of their queen's marriage in order to support the government; and they recommended Bothwell to her as a husband.<sup>112</sup> This paper was subscribed by all the considerable nobility there present. In a country divided by violent factions such a concurrence in favor of one nobleman, nowise distinguished above the rest, except by his flagitious conduct, could never have been obtained had not every one been certain, at least firmly persuaded, that Mary was fully determined on this measure.<sup>113</sup> Nor would such a motive have sufficed to influence men, commonly so stubborn and intractable, had they not been taken by surprise, been ignorant of each other's sentiments, and overawed by the present power of the court, and by the apprehensions of farther violence from persons so little governed by any

<sup>109</sup> Keith, p. 375. Anderson, vol. ii. p. 33. Spotwood, p. 201.

<sup>110</sup> Keith, p. 78. Crawford, p. 14.

<sup>112</sup> Keith, p. 381.

<sup>111</sup> Keith, p. 380.

<sup>113</sup> See note [S] at the end of the volume.

principles of honor and humanity. Even with all these circumstances, the subscription to this paper may justly be regarded as a reproach to the nation.

The subsequent measures of Bothwell were equally precipitate and audacious. Mary having gone to Stirling to pay a visit to her son, he assembled a body of eight hundred horse, on pretence of pursuing some robbers on the borders; and having waylaid her on her return, he seized her person near Edinburgh, and carried her to Dunbar, with an avowed design of forcing her to yield to his purpose. Sir James Melvil, one of her retinue, was carried along with her, and says not that he saw any signs of reluctance or constraint; he was even informed, as he tells us, by Bothwell's officers, that the whole transaction was managed in concert with her.<sup>114</sup> A woman, indeed, of that spirit and resolution which is acknowledged to belong to Mary does not usually, on these occasions, give such marks of opposition to *real* violence as can appear anywhere doubtful or ambiguous. Some of the nobility, however, in order to put matters to a farther trial, sent her a private message, in which they told her that if, in reality, she lay under force they would use all their efforts to rescue her. Her answer was that she had indeed been carried to Dunbar by violence, but ever since her arrival had been so well treated that she willingly remained with Bothwell.<sup>115</sup> No one gave himself thenceforth any concern to relieve her from a captivity which was believed to proceed entirely from her own approbation and connivance.

This unusual conduct was at first ascribed to Mary's sense of the infamy attending her purposed marriage, and her desire of finding some color to gloss over the irregularity of her conduct. But a pardon given to Bothwell, a few days after, made the public carry their conjectures somewhat farther. In this deed Bothwell received a pardon for the violence committed on the queen's person, and for *all other crimes*—a clause by which the murder of the king was indirectly forgiven. The rape was then conjectured to have been only a contrivance in order to afford a pretence for indirectly remitting a crime of which it would have appeared scandalous to make openly any mention.<sup>116</sup>

These events passed with such rapidity, that men had no leisure to admire sufficiently one incident, when they

<sup>114</sup> Melvil, p. 80.

<sup>115</sup> Spotswood, p. 202.

<sup>116</sup> Anderson, vol. iv. part 2, p. 61.



were surprised with a new one, equally rare and uncommon. There still, however, remained one difficulty which it was not easy to foresee—how the queen and Bothwell, determined as they were to execute their shameful purpose, could find expedients to overcome. The man who had procured the subscription of the nobility recommending him as a husband to the queen, and who had acted this seeming violence on her person in order to force her consent, had been married two years before to another woman; to a woman of merit, of a noble family, sister to the Earl of Huntley. But persons blinded by passion and infatuated with crimes soon shake off all appearance of decency. A suit was commenced for divorce between Bothwell and his wife, and this suit was opened, at the same instant, in two different, or rather opposite, courts: in the court of the Archbishop of St. Andrew's, which was popish and governed itself by the canon law, and in the new consistorial or commissariat court, which was Protestant and was regulated by the principles of the reformed teachers. The plea advanced in each court was so calculated as to suit the principles which there prevailed: in the archbishop's court the pretence of consanguinity was employed, because Bothwell was related to his wife in the fourth degree; in the commissariat court the accusation of adultery was made use of against him. The parties, too, who applied for the divorce were different in the different courts: Bothwell was the person who sued in the former; his wife in the latter. And the suit in both courts was opened, pleaded, examined, and decided with the utmost precipitation; and a sentence of divorce was pronounced in four days.<sup>117</sup>

The divorce being thus obtained, it was thought proper that Mary should be conducted to Edinburgh, and should there appear before the courts of judicature, and should acknowledge herself restored to entire freedom. This was understood to be contrived in a view of obviating all doubts with regard to the validity of her marriage. Orders were then given to publish in the church the bans between the queen and the Duke of Orkney, for that was the title which he now bore; and Craig, a minister of Edinburgh, was applied to for that purpose. This clergyman, not content with having refused compliance, publicly in his sermons condemned the marriage, and exhorted all who had access to the queen to give her their advice against so scandalous an

<sup>117</sup> Anderson, vol. ii. p. 280.

alliance. Being called before the council to answer for this liberty, he showed a courage which might cover all the nobles with shame on account of their tameness and servility. He said that, by the rules of the church, the Earl of Bothwell, being convicted of adultery, could not be permitted to marry; that the divorce between him and his former wife was plainly procured by collusion, as appeared by the precipitation of the sentence and the sudden conclusion of his marriage with the queen; and that all the suspicions which prevailed with regard to the king's murder and the queen's concurrence in the former rape would thence receive undoubted confirmation. He therefore exhorted Bothwell, who was present, no longer to persevere in his present criminal enterprises; and turning his discourse to the other counsellors, he charged them to employ all their influence with the queen in order to divert her from a measure which would load her with eternal infamy and dishonor. Not satisfied even with this admonition, he took the first opportunity of informing the public, from the pulpit, of the whole transaction, and expressed to them his fears that, notwithstanding all remonstrances, their sovereign was still obstinately bent on her fatal purpose. "For himself," he said, "he had already discharged his conscience, and yet again would take heaven and earth to witness that he abhorred and detested that marriage, as scandalous and hateful in the sight of mankind; but since the great, as he perceived, either by their flattery or silence, gave countenance to the measure, he besought the faithful to pray fervently to the Almighty that a resolution taken contrary to all law, reason, and good conscience might, by the Divine blessing, be turned to the comfort and benefit of the church and kingdom." These speeches offended the court extremely; and Craig was anew summoned before the council, to answer for his temerity in thus passing the bounds of his commission. But he told them that the bounds of his commission were the word of God, good laws, and natural reason; and were the queen's marriage tried by any of these standards, it would appear infamous and dishonorable, and would be so esteemed by the whole world. The council were so overawed by this heroic behavior in a private clergyman that they dismissed him without farther censure or punishment.<sup>118</sup>

But though this transaction might have recalled Bothwell and the Queen of Scots from their infatuation, and might

<sup>118</sup> Spotswood, p. 203. Anderson, vol. ii. p. 280.

have instructed them in the dispositions of the people, as well as in their own inability to oppose them, they were still resolute to rush forward to their own manifest destruction.

The marriage was solemnized by the Bishop of Orkney, a Protestant, who was afterwards deposed by the church for his scandalous compliance. Few of the nobility appeared at the ceremony: they had, most of them, either from shame or fear, retired to their own houses. The French ambassador, Le Croc, an aged gentleman of honor and character, could not be prevailed on, though a dependant of the house of Guise, to countenance the marriage by his presence.<sup>119</sup> Elizabeth remonstrated, by friendly letters and messages, against the marriage; <sup>120</sup> the court of France made like opposition; but Mary, though on all other occasions she was extremely obsequious to the advice of her relations in that country, was here determined to pay no regard to their opinion.

The news of these transactions, being carried to foreign countries, filled Europe with amazement, and threw infamy not only on the principal actors in them, but also on the whole nation, who seemed, by their submission and silence, and even by their declared approbation, to give their sanction to these scandalous practices.<sup>121</sup> The Scots who resided abroad met with such reproaches that they durst nowhere appear in public; and they earnestly exhorted their countrymen at home to free them from the public odium by bringing to condign punishment the authors of such atrocious crimes. This intelligence, with a little more leisure for reflection, roused men from their lethargy; and the rumors which, from the very beginning,<sup>122</sup> had been spread against Mary, as if she had concurred in the king's murder, seemed now, by the subsequent transactions, to have received a strong confirmation and authority. It was everywhere said that, even though no particular and direct proofs had as yet been produced of the queen's guilt, the whole tenor of her late conduct was sufficient not only to beget suspicion, but to produce entire conviction against her: that her sudden resolution of being reconciled to her husband, whom before she had long and justly hated; her bringing him to court, from which she had banished him by neglects and rigors; her fitting up separate apartments for him, were all of them

<sup>119</sup> Spotswood, p. 203. Melvil, p. 82.

<sup>120</sup> Keith, p. 392. Digges, p. 14.

<sup>121</sup> Melvil, p. 82. Keith, p. 402. Anderson, vol. i. pp. 128, 134.

<sup>122</sup> Crawford, p. 11. Keith, Pref. p. 9.

circumstances which, though trivial in themselves, yet, being compared with the subsequent events, bore a very unfavorable aspect for her: that the least which, after the king's murder, might have been expected in her situation was a more than usual caution in her measures, and an extreme anxiety to punish the real assassins in order to free herself from all reproach and suspicion: that no woman who had any regard to her character would allow a man publicly accused of her husband's murder so much as to approach her presence, far less give him a share in her councils and endow him with favor and authority: that an acquittal merely in the absence of accusers was very ill fitted to satisfy the public; especially if that absence proceeded from a designed precipitation of the sentence, and from the terror which her known friendship for the criminal had infused into every one: that the very mention of her marriage to such a person, in such circumstances, was horrible; and the contrivances of extorting a consent from the nobility and of concerting a rape were gross artifices, more proper to discover her guilt than prove her innocence: that where a woman thus shows a consciousness of merited reproach, and, instead of correcting, provides only thin glosses to cover her exceptionable conduct, she betrays a neglect of fame which must either be the effect or the cause of the most shameful enormities: that to espouse a man who had, a few days before, been so scandalously divorced from his wife, who, to say the least, was believed to have, a few months before, assassinated her husband, was so contrary to the plainest rules of behavior that no pretence of indiscretion or imprudence could account for such a conduct: that a woman who so soon after her husband's death, though not attended with any extraordinary circumstances, contracts a marriage which might in itself be the most blameless cannot escape severe censure; but one who overlooks, for her pleasure, so many other weighty considerations was equally capable, in gratifying her appetites, to neglect every regard to honor and to humanity: that Mary was not ignorant of the prevailing opinion of the public with regard to her own guilt, and of the inferences which would everywhere be drawn from her conduct; and therefore, if she still continued to pursue measures which gave such just offence, she ratified, by her actions, as much as she could by the most formal confession, all the surmises and imputations of her enemies: that a prince was here murdered in the face of the



world ; Bothwell alone was suspected and accused ; if he were innocent, nothing could absolve him, either in Mary's eyes or those of the public, but the detection and conviction of the real assassin ; yet no inquiry was made to that purpose, though a Parliament had been assembled ; the sovereign and wife were here plainly silent from guilt, the people from terror : that the only circumstance which opposed all these presumptions, or rather proofs, was the benignity and goodness of her preceding behavior, which seemed to remove her from all suspicions of such atrocious inhumanity ; but that the characters of men were extremely variable, and persons guilty of the worst actions were not always of the worst and most criminal dispositions : that a woman who, in a critical and dangerous moment, had sacrificed her honor to a man of abandoned principles might thenceforth be led blindfold by him to the commission of the most enormous crimes, and was in reality no longer at her own disposal : and that though one supposition was still left to alleviate her blame, namely, that Bothwell, presuming on her affection towards him, had of himself committed the crime, and had never communicated it to her, yet such a sudden and passionate love to a man whom she had long known could not easily be accounted for without supposing some degree of preceding guilt ; and as it appeared that she was not afterwards restrained, either by shame or prudence, from incurring the highest reproach and danger, it was not likely that a sense of duty or humanity would have a more powerful influence over her.

These were the sentiments which prevailed throughout Scotland ; and as the Protestant teachers, who had great authority, had long borne an animosity to Mary, the opinion of her guilt was, by that means, the more widely diffused, and made the deeper impression on the people. Some attempts made by Bothwell, and, as is pretended, with her consent, to get the young prince into his power excited the most serious attention ; and the principal nobility, even many of those who had formerly been constrained to sign the application in favor of Bothwell's marriage, met at Stirling, and formed an association for protecting the prince and punishing the king's murderers.<sup>123</sup> The Earl of Athol himself, a known Catholic, was the first author of this confederacy ; the Earls of Argyle, Morton, Marre, Glencairne, the Lords Boyd, Lindesey, Hume, Semple, Kirkaldy of Grange, Tulli-

<sup>123</sup> Keith, p. 394.

bardine, and Secretary Liddington entered zealously into it. The Earl of Murray, foreseeing such turbulent times, and being desirous to keep free of these dangerous factions, had, some time before, desired and obtained Mary's permission to retire into France.

Lord Hume was first in arms; and, leading a body of eight hundred horse, suddenly environed the Queen of Scots and Bothwell in the castle of Borthwick. They found means of making their escape to Dunbar while the confederate lords were assembling their troops at Edinburgh and taking measures to effect their purpose. Had Bothwell been so prudent as to keep within the fortress of Dunbar, his enemies must have dispersed for want of pay and subsistence; but hearing that the associated lords were fallen into distress, he was so rash as to take the field and advance towards them. The armies met at Carberry Hill, about six miles from Edinburgh; and Mary soon became sensible that her own troops disapproved of her cause, and were averse to spill their blood in the quarrel.<sup>124</sup> After some bravadoes of Bothwell, where he discovered very little courage, she saw no resource but that of holding a conference with Kirkaldy of Grange, and of putting herself, upon some general promises, into the hands of the confederates. She was conducted to Edinburgh amidst the insults of the populace, who reproached her with her crimes, and even held before her eyes, which way soever she turned, a banner on which were painted the murder of her husband and the distress of her infant son.<sup>125</sup> Mary, overwhelmed with her calamities, had recourse to tears and lamentations. Meanwhile Bothwell, during her conference with Grange, fled unattended to Dunbar, and, fitting out a few small ships, set sail for the Orkneys, where he subsisted during some time by piracy. He was pursued thither by Grange, and his ship was taken, with several of his servants, who afterwards discovered all the circumstances of the king's murder, and were punished for the crime.<sup>126</sup> Bothwell himself escaped in a boat, and found means to get a passage to Denmark, where he was thrown into prison, lost his senses, and died miserably about ten years after—an end worthy of his flagitious conduct and behavior.

The Queen of Scots, now in the hands of an enraged faction, met with such treatment as a sovereign may natu-

<sup>124</sup> Keith, p. 402. Spotswood, p. 207.

<sup>126</sup> Anderson, vol. ii. pp. 165, 166, &c.

<sup>125</sup> Melvil, pp. 83, 84.

rally expect from subjects who have their future security to provide for, as well as their present animosity to gratify. It is pretended that she behaved with a spirit very little suitable to her condition, avowed her inviolable attachment to Bothwell,<sup>127</sup> and even wrote him a letter which the lords intercepted, wherein she declared that she would endure any extremity, nay, resign her dignity and crown itself, rather than relinquish his affections.<sup>128</sup> The malcontents, finding the danger to which they were exposed in case Mary should finally prevail, thought themselves obliged to proceed with rigor against her; and they sent her the next day under a guard to the castle of Lochleven, situated in a lake of that name. The mistress of the house was mother to the Earl of Murray; and as she pretended to have been lawfully married to the late King of Scots, she naturally bore an animosity to Mary, and treated her with the utmost harshness and severity.

Elizabeth, who was fully informed of all these incidents, seemed touched with compassion towards the unfortunate queen; and all her fears and jealousies being now laid asleep by the consideration of that ruin and infamy in which Mary's conduct had involved her, she began to reflect on the instability of human affairs, the precarious state of royal grandeur, the danger of encouraging rebellious subjects; and she resolved to employ her authority for alleviating the calamities of her unhappy kinswoman. She sent Sir Nicholas Throgmorton ambassador to Scotland, in order to remonstrate both with Mary and the associated lords; and she gave him instructions which, though mixed with some lofty pretensions, were full of that good sense which was so natural to her, and of that generosity which the present interesting conjuncture had called forth. She empowered him to declare in her name to Mary that the late conduct of that princess, so enormous, and in every respect so unjustifiable, had given her the highest offence; and though she felt the movements of pity towards her, she had once determined never to interpose in her affairs, either by advice or assistance, but to abandon her entirely, as a person whose condition was totally desperate and honor irretrievable: that she was well assured that other foreign princes, Mary's near relations, had embraced the same

<sup>127</sup> Keith, p. 419.

<sup>128</sup> Melvil, p. 84. The reality of this letter appears somewhat disputable; chiefly because Murray and his associates never mentioned it in their accusation of her before Queen Elizabeth's commissioners.

resolution; but for her part, the late events had touched her heart with more tender sympathy, and had made her adopt measures more favorable to the liberty and interests of the unhappy queen: that she was determined not to see her oppressed by her rebellious subjects, but would employ all her good offices, and even her power, to redeem her from captivity, and place her in such a condition as would at once be compatible with her dignity and the safety of her subjects: that she conjured her to lay aside all thoughts of revenge, except against the murderers of her husband; and as she herself was his near relation, she was better entitled than the subjects of Mary to interpose her authority on that head; and she therefore besought that princess, if she had any regard to her own honor and safety, not to oppose so just and reasonable a demand: that after those two points were provided for, her own liberty and the punishment of her husband's assassins, the safety of her infant son was next to be considered, and there seemed no expedient more proper for that purpose than sending him to be educated in England; and that, besides the security which would attend his removal from a scene of faction and convulsions, there were many other beneficial consequences which it was easy to foresee as the result of his education in that country.<sup>129</sup>

The remonstrances which Throgmorton was instructed to make to the associated lords were entirely conformable to these sentiments which Elizabeth entertained in Mary's favor. She empowered him to tell them that, whatever blame she might throw on Mary's conduct, any opposition to their sovereign was totally unjustifiable, and incompatible with all order and good government; that it belonged not to them to reform, much less to punish, the maladministration of their prince, and the only arms which subjects could in any case lawfully employ against the supreme authority were entreaties, counsels, and representations; that if these expedients failed, they were next to appeal by their prayers to Heaven, and to wait with patience till the Almighty, in whose hands are the hearts of princes, should be pleased to turn them to justice and to mercy; that she inculcated not this doctrine because she herself was interested in its observance, but because it was universally received in all well-governed states, and was essential to the preservation of civil society; that she required them to restore their queen



to liberty, and promised, in that case, to concur with them in all proper expedients for regulating the government, for punishing the king's murderers, and for guarding the life and liberty of the infant prince; and that if the services which she had lately rendered the Scottish nation, in protecting them from foreign usurpation, were duly considered by them, they would repose confidence in her good offices, and would esteem themselves blameworthy in having hitherto made no application to her.<sup>130</sup>

Elizabeth, besides these remonstrances, sent, by Throgmorton, some articles of accommodation, which he was to propose to both parties as expedients for the settlement of public affairs; and though these articles contained some important restraints on the sovereign power, they were in the main calculated for Mary's advantage, and were sufficiently indulgent to her.<sup>131</sup> The associated lords, who determined to proceed with greater severity, were apprehensive of Elizabeth's partiality; and being sensible that Mary would take courage from the protection of that powerful princess,<sup>132</sup> they thought proper, after several affected delays, to refuse the English ambassador all access to her. There were four different schemes proposed in Scotland for the treatment of the captive queen: one, that she should be restored to her authority under very strict limitations; the second, that she should be obliged to resign her crown to the prince, be banished the kingdom, and be confined either to France or England, with assurances from the sovereign in whose dominions she should reside that she should make no attempts to the disturbance of the established government; the third, that she should be publicly tried for her crimes, of which her enemies pretended to have undoubted proof, and be sentenced to perpetual imprisonment. The fourth was still more severe, and required that, after her trial and condemnation, capital punishment should be inflicted upon her.<sup>133</sup> Throgmorton supported the mildest proposal; but, though he promised his mistress's guarantee for the performance of articles, threatened the ruling party with immediate vengeance in case of refusal,<sup>134</sup> and warned them not to draw on themselves, by their violence, the public reproach which now lay upon their queen, he found that, excepting Secretary Lidington, he had not the good fortune to convince any of the leaders. All counsels seemed to tend

<sup>130</sup> Keith, pp. 414, 415, 429.

<sup>133</sup> Keith, p. 420.

<sup>131</sup> Keith, p. 416.

<sup>132</sup> Keith, p. 127.

<sup>134</sup> Keith, p. 428.

towards the more severe expedients; and the preachers, in particular, drawing their examples from the rigorous maxims of the Old Testament, which can only be warranted by particular revelations, inflamed the minds of the people against their unhappy sovereign.<sup>135</sup>

There were several pretenders to the regency of the young prince, after the intended deposition of Mary. The Earl of Lenox claimed that authority as grandfather to the prince; the Duke of Chatelrault, who was absent in France, had pretensions as next heir to the crown; but the greatest number of the associated lords inclined to the Earl of Murray, in whose capacity they had entire trust, and who possessed the confidence of the preachers and more zealous reformers. All measures being therefore concerted, three instruments were sent to Mary by the hands of Lord Lindsey and Sir Robert Melvil, by one of which she was to resign the crown in favor of her son, by another to appoint Murray regent, by the third to make a council which should administer the government until his arrival in Scotland. The Queen of Scots, seeing no prospect of relief, lying justly under apprehensions for her life, and believing that no deed which she executed during her captivity could be valid, was prevailed on, after a plentiful effusion of tears, to sign these three instruments; and she took not the trouble of inspecting any one of them.<sup>136</sup> In consequence of this forced resignation, the young prince was proclaimed king, by the name of James VI. He was soon after crowned at Stirling, and the Earl of Morton took, in his name, the coronation oath, in which a promise to extirpate heresy was not forgotten. Some republican pretensions in favor of the people's power were countenanced in this ceremony;<sup>137</sup> and a coin was soon after struck on which the famous saying of Trajan was inscribed, *Pro me; si merear, in me* (For me; if I deserve it, against me).<sup>138</sup> Throgmorton had orders from his mistress not to assist at the coronation of the King of Scots.<sup>139</sup>

The council of regency had not long occasion to exercise their authority. The Earl of Murray arrived from France, and took possession of his high office. He paid a visit to the captive queen, and spoke to her in a manner which better suited her past conduct than her present condition. This harsh treatment quite extinguished in her

<sup>135</sup> Keith, pp. 422, 426.

<sup>136</sup> Melvil, p. 85. Spotswood, p. 211. Anderson, vol. iii. p. 19.

<sup>137</sup> Keith, pp. 439, 440. <sup>138</sup> Keith, p. 440. App. p. 150. <sup>139</sup> Keith, p. 430.

breast any remains of affection towards him.<sup>140</sup> Murray proceeded afterwards to break, in a more public manner, all terms of decency with her. He summoned a Parliament; and that assembly, after voting that she was undoubtedly an accomplice in her husband's murder, condemned her to imprisonment, ratified her demission of the crown, and acknowledged her son for king, and Murray for regent.<sup>141</sup> The regent, a man of vigor and abilities, employed himself successfully in reducing the kingdom. He bribed Sir James Balfour to surrender the castle of Edinburgh, he constrained the garrison of Dunbar to open their gates, and he demolished that fortress.

But though everything thus bore a favorable aspect to the new government, and all men seemed to acquiesce in Murray's authority, a violent revolution, however necessary, can never be effected without great discontents; and it was not likely that, in a country where the government, in its most settled state, possessed a very disjointed authority, a new establishment should meet with no interruption or disturbance. Few considerable men of the nation seemed willing to support Mary so long as Bothwell was present; but the removal of that obnoxious nobleman had altered the sentiments of many. The Duke of Chatelrault, being disappointed of the regency, bore no good-will to Murray; and the same sentiments were embraced by all his numerous retainers. Several of the nobility, finding that others had taken the lead among the associators, formed a faction apart, and opposed the prevailing power; and besides their being moved by some remains of duty and affection towards Mary, the malcontent lords, observing everything carried to extremity against her, were naturally led to embrace her cause and shelter themselves under her authority. All who retained any propensity to the Catholic religion were induced to join his party; and even the people in general, though they had formerly either detested Mary's crimes or blamed her imprudence, were now inclined to compassionate her present situation, and lamented that a person possessed of so many amiable accomplishments, joined to such high dignity, should be treated with such extreme severity.<sup>142</sup> Animated by all these motives, many of the principal nobility, now adherents to the Queen of Scots, met at Hamilton, and concerted measures for supporting the cause of that princess.

<sup>140</sup> Meivii, p. 87. Keith, p. 445.

<sup>142</sup> Buchanan, lib. 18, c. 53.

<sup>141</sup> Anderson, vol. ii. p. 206, et seq.

[1568.] While these humors were in fermentation, Mary was employed in contrivances for effecting her escape; and she engaged, by her charms and caresses, a young gentleman, George Douglas, brother to the laird of Lochleven, to assist her in that enterprise. She even went so far as to give him hopes of espousing her after her marriage with Bothwell should be dissolved on the plea of force; and she proposed this expedient to the regent, who rejected it. Douglas, however, persevered in his endeavors to free her from captivity; and having all opportunities of access to the house, he was at last successful in the undertaking. He conveyed her in disguise into a small boat, and himself rowed her ashore. She hastened to Hamilton; and, the news of her arrival in that place being immediately spread abroad, many of the nobility flocked to her with their forces. A bond of association for her defence was signed by the Earls of Argyle, Huntley, Eglinton, Crawford, Cassilis, Rothes, Montrose, Sutherland, Errol, nine bishops, and nine barons, besides many of the most considerable gentry;<sup>143</sup> and in a few days an army, to the number of six thousand men, was assembled under her standard.

Elizabeth was no sooner informed of Mary's escape than she discovered her resolution of persevering in the same generous and friendly measures which she had hitherto pursued. If she had not employed force against the regent during the imprisonment of that princess, she had been chiefly withheld by the fear of pushing him to greater extremities against her;<sup>144</sup> but she had proposed to the court of France an expedient which, though less violent, would have been no less effectual for her service: she desired that France and England should by concert cut off all commerce with the Scots till they should do justice to their injured sovereign.<sup>145</sup> She now despatched Leighton into Scotland, to offer both her good offices and the assistance of her forces to Mary; but as she apprehended the entrance of French troops into the kingdom, she desired that the controversy between the Queen of Scots and her subjects might, by that princess, be referred entirely to her arbitration, and that no foreign succors should be introduced into Scotland.<sup>146</sup>

But Elizabeth had not leisure to exert fully her efforts in favor of Mary. The regent made haste to assemble forces; and notwithstanding that his army was inferior in number

<sup>143</sup> Keith, p. 475.

<sup>145</sup> Keith, p. 462.

<sup>144</sup> Keith, p. 463. Cabala, p. 141.

<sup>146</sup> Keith, p. 473, in the notes. Anderson, vol. iv. p. 26.



to that of the Queen of Scots, he took the field against her. A battle was fought at Langside, near Glasgow, which was entirely decisive in favor of the regent; and though Murray, after his victory, stopped the bloodshed, yet was the action followed by a total dispersion of the queen's party. That unhappy princess fled southwards from the field of battle with great precipitation, and came, with a few attendants, to the borders of England. She here deliberated concerning her next measures, which would probably prove so important to her future happiness or misery. She found it impossible to remain in her own kingdom; she had an aversion, in her present wretched condition, to return into France, where she had formerly appeared with so much splendor; and she was not, besides, provided with a vessel which could safely convey her thither; the late generous behavior of Elizabeth made her hope for protection, and even assistance, from that quarter;<sup>147</sup> and as the present fears from her domestic enemies were the most urgent, she overlooked all other considerations, and embraced the resolution of taking shelter in England. She embarked on board a fishing-boat in Galloway, and landed the same day at Workington, in Cumberland, about thirty miles from Carlisle, whence she immediately despatched a messenger to London, notifying her arrival, desiring leave to visit Elizabeth, and craving her protection in consequence of former professions of friendship made her by that princess.

Elizabeth now found herself in a situation when it was become necessary to take some decisive resolution with regard to her treatment of the Queen of Scots; and as she had hitherto, contrary to the opinion of Cecil, attended more to the motives of generosity than of policy,<sup>148</sup> she was engaged by that prudent minister to weigh anew all the considerations which occurred in this critical conjuncture. He represented that the party which had dethroned Mary, and had at present assumed the government of Scotland, was always attached to the English alliance, and was engaged, by all the motives of religion and of interest, to persevere in their connections with Elizabeth: that though Murray and his friends might complain of some unkind usage during their banishment in England, they would easily forget these grounds of quarrel when they reflected that Elizabeth was the only ally on whom they could safely rely, and that their own queen, by her attachment to the Catholic

<sup>147</sup> Jebb's Collection, vol. i. p. 420.

<sup>148</sup> Cabala, p. 140.

faith, and by her other connections, excluded them entirely from the friendship of France, and even from that of Spain : that Mary, on the other hand, even before her violent breach with her Protestant subjects, was in secret entirely governed by the counsels of the house of Guise ; much more would she implicitly comply with their views when, by her own ill conduct, the power of that family and of the zealous Catholics was become her sole resource and security : that her pretensions to the English crown would render her a dangerous instrument in their hands ; and were she once able to suppress the Protestants in her own kingdom, she would unite the Scottish and English Catholics with those of all foreign states in the confederacy against the religion and government of England : that it behooved Elizabeth, therefore, to proceed with caution in the design of restoring her rival to the throne ; and to take care both that this enterprise, if undertaken, should be effected by English forces alone, and that full securities should beforehand be provided for the reformers and the Reformation in Scotland : that, above all, it was necessary to guard carefully the person of that princess ; lest, finding this unexpected reserve in the English friendship, she should suddenly take the resolution of flying into France, and should attempt, by foreign force, to recover possession of her authority : that her desperate fortunes and broken reputation fitted her for any attempt ; and her resentment, when she should find herself thus deserted by the queen, would concur with her ambition and her bigotry, and render her an unrelenting as well as powerful enemy to the English government : that if she were once abroad, in the hands of enterprising Catholics, the attack on England would appear to her as easy as that on Scotland ; and the only method, she must imagine, of recovering her native kingdom would be to acquire that crown, to which she would deem herself equally entitled : that a neutrality in such interesting situations, though it might be pretended, could never, without the most extreme danger, be upheld by the queen ; and the detention of Mary was equally requisite, whether the power of England were to be employed in her favor or against her : that nothing, indeed, was more becoming a great prince than generosity ; yet the suggestions of this noble principle could never, without imprudence, be consulted in such delicate circumstances as those in which the queen was at present placed, where her own safety and the interests of her people were intimately concerned in every

resolution which she embraced; that though the example of successful rebellion, especially in a neighboring country, could nowise be agreeable to any sovereign, yet Mary's imprudence had been so great, perhaps her crimes so enormous, that the insurrection of subjects, after such provocation, could no longer be regarded as a precedent against other princes: that it was first necessary for Elizabeth to ascertain, in a regular and satisfactory manner, the extent of Mary's guilt, and thence to determine the degree of protection which she ought to afford her against her discontented subjects: that as no glory could surpass that of defending oppressed innocence, it was equally infamous to patronize vice and murder on the throne; and the contagion of such dishonor would extend itself to all who countenanced or supported it; and that if the crimes of the Scottish princess should, on inquiry, appear as great and certain as was affirmed and believed, every measure against her which policy should dictate would thence be justified; or if she should be found innocent, every enterprise which friendship should inspire would be acknowledged laudable and glorious.

Agreeably to these views, Elizabeth resolved to proceed in a seemingly generous, but really cautious, manner with the Queen of Scots; and she immediately sent orders to Lady Scrope, sister of the Duke of Norfolk, a lady who lived in the neighborhood, to attend on that princess. Soon after she despatched to her Lord Scrope himself, warden of the marches, and Sir Francis Knolles, vice-chamberlain. They found Mary already lodged in the castle of Carlisle; and, after expressing the queen's sympathy with her in her late misfortunes, they told her that her request of being allowed to visit their sovereign, and of being admitted to her presence, could not at present be complied with; till she had cleared herself of her husband's murder, of which she was so strongly accused, Elizabeth could not, without dishonor, show her any countenance, or appear indifferent to the assassination of so near a kinsman.<sup>149</sup> So unexpected a check threw Mary into tears; and the necessity of her situation extorted from her a declaration that she would willingly justify herself to her sister from all imputations, and would submit her cause to the arbitration of so good a friend.<sup>150</sup> Two days after she sent Lord Herreis to London with a letter to the same purpose.

This concession, which Mary could scarcely avoid with-

<sup>149</sup> Anderson, vol. iv. pp. 54, 66, 82, 83, 86. <sup>150</sup> Anderson, vol. iv. pp. 10, 55, 87.

out an acknowledgment of guilt, was the point expected and desired by Elizabeth: she immediately despatched Midlemore to the regent of Scotland, requiring him both to desist from the farther prosecution of his queen's party and send some persons to London to justify his conduct with regard to her. Murray might justly be startled at receiving a message so violent and imperious; but as his domestic enemies were numerous and powerful, and England was the sole ally which he could expect among foreign nations, he was resolved rather to digest the affront than provoke Elizabeth by a refusal. He also considered that, though that queen had hitherto appeared partial to Mary, many political motives evidently engaged her to support the king's cause in Scotland; and it was not to be doubted but so penetrating a princess would, in the end, discover this interest, and would at least afford him a patient and equitable hearing. He therefore replied that he would himself take a journey to England, attended by other commissioners, and would willingly submit the determination of his cause to Elizabeth.<sup>151</sup>

Lord Herreis now perceived that his mistress had advanced too far in her concessions: he endeavored to maintain that Mary could not, without diminution of her royal dignity, submit to a contest with her rebellious subjects before a foreign prince; and he required either present aid from England or liberty for his queen to pass over into France. Being pressed, however, with the former agreement before the English council, he again renewed his consent; but in a few days he began anew to recoil, and it was with some difficulty that he was brought to acquiesce in the first determination.<sup>152</sup> These fluctuations, which were incessantly renewed, showed his visible reluctance to the measures pursued by the court of England.

The Queen of Scots discovered no less aversion to the trial proposed, and it required all the artifice and prudence of Elizabeth to make her persevere in the agreement to which she had at first consented. This latter princess still said to her that she desired not, without Mary's consent or approbation, to enter into the question, and pretended only, as a friend, to hear her justification; that she was confident there would be found no difficulty in refuting all the calumnies of her enemies, and, even if her apology should fall short of full conviction, Elizabeth was determined to support her cause and procure her some reasonable terms of

<sup>151</sup> Anderson, vol. iv. pp. 13-16.

<sup>152</sup> Anderson, vol. iv. pp. 16-20.



accommodation; and that it was never meant that she should be cited to a trial on the accusation of her rebellious subjects, but, on the contrary, that they should be summoned to appear, and to justify themselves for their conduct towards her.<sup>153</sup> Allured by these plausible professions, the Queen of Scots agreed to vindicate herself by her own commissioners, before commissioners appointed by Elizabeth.

During these transactions Lord Scrope and Sir Francis Knolles, who resided with Mary at Carlisle, had leisure to study her character and make report of it to Elizabeth. Unbroken by her misfortunes, resolute in her purpose, active in her enterprises, she aspired to nothing but victory; and was determined to endure any extremity, to undergo any difficulty, and to try every fortune, rather than abandon her cause or yield the superiority to her enemies. Eloquent, insinuating, affable, she had already convinced all those who approached her of the innocence of her past conduct; and as she declared her fixed purpose to require aid of her friends all over Europe, and even to have recourse to infidels and barbarians, rather than fail of vengeance against her persecutors, it was easy to foresee the danger to which her charms, her spirit, her address, if allowed to operate with their full force, would expose them.<sup>154</sup> The court of England, therefore, who, under pretence of guarding her, had already, in effect, detained her prisoner, were determined to watch her with greater vigilance. As Carlisle, by its situation on the borders, afforded her great opportunities of contriving her escape, they removed her to Bolton, a seat of Lord Scrope's in Yorkshire; and the issue of the controversy between her and the Scottish nation was regarded as a subject more momentous to Elizabeth's security and interests than it had hitherto been apprehended.

The commissioners appointed by the English court for the examination of this great cause were the Duke of Norfolk, the Earl of Sussex, and Sir Ralph Sadler; and York was named as the place of conference. Lesley, Bishop of Ross, the Lords Herreis, Levingstone and Boyde, with three persons more, appeared as commissioners from the Queen of Scots. The Earl of Murray, regent, the Earl of Morton, the Bishop of Orkney, Lord Lindesey, and the Abbot of Dumfermling were appointed commissioners from the king

<sup>153</sup> Anderson, vol. iv. pp. 11, 12, 13, 109, 110.

<sup>154</sup> Anderson, vol. iv. pp. 54, 71, 72, 74, 78, 92.

and kingdom of Scotland. Secretary Lidington, George Buchanan, the famous poet and historian, with some others, were named as their assistants.

It was a great circumstance in Elizabeth's glory that she was thus chosen umpire between the factions of a neighboring kingdom, which had during many centuries entertained the most violent jealousy and animosity against England; and her felicity was equally rare in having the fortunes and fame of so dangerous a rival, who had long given her the greatest inquietude, now entirely at her disposal. Some circumstances of her late conduct had discovered a bias towards the side of Mary; her prevailing interests led her to favor the enemies of that princess; the professions of impartiality which she had made were open and frequent; and she had so far succeeded that each side accused her commissioners of partiality towards their adversaries.<sup>155</sup> She herself appears, by the instructions given them, to have fixed no plan for the decision; but she knew that the advantages which she should reap must be great, whatever issue the cause might take. If Mary's crimes could be ascertained by undoubted proof, she could forever blast the reputation of that princess, and might justifiably detain her forever a prisoner in England; if the evidence fell short of conviction, it was intended to restore her to the throne, but with such strict limitations as would leave Elizabeth perpetual arbiter of all differences between the parties in Scotland, and render her in effect absolute mistress of the kingdom.<sup>156</sup>

Mary's commissioners, before they gave in their complaints against her enemies in Scotland, entered a protest that their appearance in the cause should nowise affect the independence of her crown, or be construed as a mark of subordination to England; the English commissioners received this protest, but with a reserve to the claim of England. The complaint of that princess was next read, and contained a detail of the injuries which she had suffered since her marriage with Bothwell: that her subjects had taken arms against her, on pretence of freeing her from captivity; and when she put herself into their hands, they had committed her to close custody in Lochleven; had placed her son, an infant, on her throne; had again taken arms against her after her deliverance from prison; had re-

<sup>155</sup> Anderson, vol. iv. part 2, p. 40.

<sup>156</sup> Anderson, vol. iv. part 2, pp. 14, 15, &c. Goodall, vol. ii. p. 110.

jected all her proposals for accommodation ; had given battle to her troops ; and had obliged her, for the safety of her person, to take shelter in England.<sup>157</sup> The Earl of Murray, in answer to this complaint, gave a summary and imperfect account of the late transactions : that the Earl of Bothwell, the known murderer of the late king, had, a little after committing that crime, seized the person of the queen, and led her to Dunbar ; that he acquired such influence over her as to gain her consent to marry him, and he had accordingly procured a divorce from his former wife, and had pretended to celebrate his nuptials with the queen ; that the scandal of this transaction, the dishonor which it brought on the nation, the danger to which the infant prince was exposed from the attempts of that audacious man, had obliged the nobility to take arms and expose his criminal enterprises ; that after Mary, in order to save him, had thrown herself into their hands, she still discovered such a violent attachment to him that they found it necessary, for their own and the public safety, to confine her person during a season, till Bothwell and the other murderers of her husband could be tried and punished for their crimes ; and that, during this confinement, she had voluntarily, without compulsion or violence, merely from disgust at the inquietude and vexations attending power, resigned her crown to her only son, and had appointed the Earl of Murray regent during the minority.<sup>158</sup> The queen's answer to this apology was obvious : that she did not know, and never could suspect, that Bothwell, who had been acquitted by a jury and recommended to her by all the nobility for her husband, was the murderer of the king ; that she ever was, and still continues, desirous that, if he be guilty, he may be brought to condign punishment ; that her resignation of the crown was extorted from her by the well-grounded fears of her life, and even by direct menaces of violence ; and that Throgmorton, the English ambassador, as well as others of her friends, had advised her to sign that paper as the only means of saving herself from the last extremity, and had assured her that a consent given under these circumstances could never have any validity.<sup>159</sup>

So far the Queen of Scots seemed plainly to have the advantage in the contest ; and the English commissioners might have been surprised that Murray had made so weak

<sup>157</sup> Anderson, vol. iv. part 2, p. 52. Goodall, vol. ii. p. 128. Haynes, p. 478.

<sup>158</sup> Anderson, vol. iv. part 2, p. 64, et seq. Goodall, vol. ii. p. 144.

<sup>159</sup> Anderson, vol. iv. part 2, p. 60, et seq. Goodall, vol. ii. p. 162.

a defence, and had suppressed all the material imputations against that princess, on which his party had ever so strenuously insisted, had not some private conferences previously informed them of the secret. Mary's commissioners had boasted that Elizabeth, from regard to her kinswoman, and from her desire of maintaining the rights of sovereigns, was determined, how criminal soever the conduct of that princess might appear, to restore her to the throne;<sup>160</sup> and Murray, reflecting on some past measures of the English court, began to apprehend that there were but too just grounds for these expectations. He believed that Mary, if he would agree to conceal the most violent part of the accusation against her, would submit to any reasonable terms of accommodation; but if he once proceeded so far as to charge her with the whole of her guilt, no composition could afterwards take place; and should she ever be restored, either by the power of Elizabeth or the assistance of her other friends, he and his party must be exposed to her severe and implacable vengeance.<sup>161</sup> He resolved, therefore, not to venture rashly on a measure which it would be impossible for him ever to recall; and he privately paid a visit to Norfolk and the other English commissioners, confessed his scruples, laid before them the evidence of the queen's guilt, and desired to have some security for Elizabeth's protection in case that evidence should, upon examination, appear entirely satisfactory. Norfolk was not secretly displeased with these scruples of the regent;<sup>162</sup> he had ever been a partisan of the Queen of Scots; Secretary Lidington, who began also to incline to that party, and was a man of singular address and capacity, had engaged him to embrace farther views in her favor, and even to think of espousing her; and though that duke confessed<sup>163</sup> that the proofs against Mary seemed to be unquestionable, he encouraged Murray in his present resolution not to produce them publicly in the conferences before the English commissioners.<sup>164</sup>

Norfolk, however, was obliged to transmit to court the queries proposed by the regent. These queries consisted of four particulars: whether the English commissioners had authority from their sovereign to pronounce sentence against Mary, in case her guilt should be fully proved before them,

<sup>160</sup> Anderson, vol. iv. part 2, p. 45. Goodall, vol. ii. p. 127.

<sup>161</sup> Anderson, vol. iv. part 2, pp. 47, 48. Goodall, vol. ii. p. 159.

<sup>162</sup> Crawford, p. 92. Melvil, pp. 94, 95. Haynes, p. 574.

<sup>163</sup> Anderson, vol. iv. part 2, p. 77.

<sup>164</sup> Anderson, vol. iv. part 2, pp. 57, 77. State Trials, vol. i. p. 76.



whether they would promise to exercise that authority, and proceed to an actual sentence; whether the Queen of Scots, if she were found guilty, should be delivered into the hands of the regent, or at least be so secured in England that she never should be able to disturb the tranquillity of Scotland; and whether Elizabeth would also, in that case, promise to acknowledge the young king, and protect the regent in his authority.<sup>165</sup>

Elizabeth, when these queries, with the other transactions, were laid before her, began to think that they pointed towards a conclusion more decisive and more advantageous than she had hitherto expected. She determined, therefore, to bring the matter into full light; and under pretext that the distance from her person retarded the proceedings of her commissioners, she ordered them to come to London, and there continue the conferences. On their appearance, she immediately joined in commission with them some of the most considerable of her council: Sir Nicholas Bacon, lord keeper, the Earls of Arundel and Leicester, Lord Clinton, admiral, and Sir William Cecil, secretary.<sup>166</sup> The Queen of Scots, who knew nothing of these secret motives, and who expected that fear or decency would still restrain Murray from proceeding to any violent accusation against her, expressed an entire satisfaction in this adjournment, and declared that the affair, being under the immediate inspection of Elizabeth, was now in the hands where she most desired to rest it.<sup>167</sup> The conferences were accordingly continued at Hampton-court, and Mary's commissioners, as before, made no scruple to be present at them.

The queen, meanwhile, gave a satisfactory answer to all Murray's demands, and declared that though she wished and hoped, from the present inquiry, to be entirely convinced of Mary's innocence, yet if the event should prove contrary, and that princess should appear guilty of her husband's murder, she should, for her own part, deem her ever after unworthy of a throne.<sup>168</sup> The regent, encouraged by this declaration, opened more fully his charge against the Queen of Scots; and after expressing his reluctance to proceed to that extremity, and protesting that nothing but the necessity of self-defence, which must not be abandoned for any delicacy, could have engaged him in such a measure, he proceeded to

<sup>165</sup> Anderson, vol. iv. part. 2, p. 55. Goodall, vol. ii. p. 130.

<sup>166</sup> Anderson, vol. iv. part 2, p. 99.

<sup>167</sup> Anderson, vol. iv. part 2, p. 95. Goodall. vol. ii. pp. 177, 179.

<sup>168</sup> Goodall, vol. ii. p. 199.

accuse her, in plain terms, of participation and consent in the assassination of the king.<sup>169</sup> The Earl of Lenox, too, appeared before the English commissioners; and imploring vengeance for the murder of his son, accused Mary as an accomplice with Bothwell in that enormity.<sup>170</sup>

When this charge was so unexpectedly given in, and copies of it were transmitted to the Bishop of Ross, Lord Herreis, and the other commissioners of Mary, they absolutely refused to return an answer; and they grounded their silence on very extraordinary reasons: they had orders, they said, from their mistress, if any thing were advanced that might touch her honor not to make any defence, as she was a sovereign princess, and could not be subject to any tribunal; and they required that she should previously be admitted to Elizabeth's presence, to whom, and to whom alone, she was determined to justify her innocence.<sup>171</sup> They forgot that the conferences were at first begun, and were still continued, with no other view than to clear her from the accusations of her enemies; that Elizabeth had ever pretended to enter into them only as her friend, by her own consent and approbation, not as assuming any jurisdiction over her; that this princess had, from the beginning, refused to admit her to her presence till she should vindicate herself from the crimes imputed to her; that she had therefore discovered no new signs of partiality by her perseverance in that resolution; and that, though she had granted an audience to the Earl of Murray and his colleagues, she had previously conferred the same honor on Mary's commissioners,<sup>172</sup> and her conduct was so far entirely equal to both parties.<sup>173</sup>

As the commissioners of the Queen of Scots refused to give in any answer to Murray's charge, the necessary consequence seemed to be, that there could be no farther proceedings in the conference. But though this silence might be interpreted as a presumption against her, it did not fully answer the purpose of those English ministers who were enemies to that princess. They still desired to have in their hands the proofs of her guilt; and, in order to draw them with decency from the regent, a judicious artifice was employed by Elizabeth. Murray was called before the Eng-

<sup>169</sup> Anderson, vol. iv. part 2, p. 115, et seq. Goodall, vol. ii. p. 206.

<sup>170</sup> Anderson, vol. iv. part 2, p. 122. Goodall, vol. ii. p. 208.

<sup>171</sup> Anderson, vol. iv. part 2, p. 125, et seq. Goodall, vol. ii. pp. 184, 211, 217.

<sup>172</sup> Lesley's Negotiations, in Anderson, vol. iii. p. 25. Haynes, p. 487.

<sup>173</sup> See note [T] at the end of the volume.

lish commissioners, and reproved by them, in the queen's name, for the atrocious imputations which he had the temerity to throw upon his sovereign; but though the Earl of Murray, they added, and the other commissioners had so far forgotten the duty of allegiance to their prince, the queen never would overlook what she owed to her friend, her neighbor, and her kinswoman; and she therefore desired to know what they could say in their own justification.<sup>174</sup> Murray, thus urged, made no difficulty in producing the proofs of his charge against the Queen of Scots; and among the rest some love-letters and sonnets of hers to Bothwell, written all in her own hand, and two other papers, one written in her own hand, another subscribed by her and written by the Earl of Huntley, each of which contained a promise of marriage with Bothwell, made before the pretended trial and acquittal of that nobleman.

All these important papers had been kept by Bothwell in a silver box or casket which had been given him by Mary, and which had belonged to her first husband, Francis; and though the princess had enjoined him to burn the letters as soon as he had read them, he had thought proper carefully to preserve them as pledges of her fidelity, and had committed them to the custody of Sir James Balfour, deputy-governor of the castle of Edinburgh. When that fortress was besieged by the associated lords, Bothwell sent a servant to receive the casket from the hands of the deputy-governor. Balfour delivered it to the messenger; but as he had at that time received some disgust from Bothwell, and was secretly negotiating an agreement with the ruling party, he took care, by conveying private intelligence to the Earl of Morton, to make the papers be intercepted by him. They contained incontestable proofs of Mary's criminal correspondence with Bothwell, of her consent to the king's murder, and of her concurrence in the violence which Bothwell pretended to commit upon her.<sup>175</sup> Murray fortified this evidence by some testimonies of corresponding facts; <sup>176</sup> and he added, some time after, the dying confession of one Hubert, or French Paris, as he was called, a servant of Bothwell's, who had been executed for the king's murder, and who directly charged the queen with her being accessory to that criminal enterprise.<sup>177</sup>

<sup>174</sup> Anderson, vol. iv. part 2, p. 147. Goodall, vol. ii. p. 233.

<sup>175</sup> Anderson, vol. ii. p. 115. Goodall, vol. ii. p. 1.

<sup>176</sup> Anderson, vol. ii. part 2, p. 165, &c. Goodall, vol. ii. p. 243.

<sup>177</sup> Anderson, vol. ii. p. 192. Goodall, vol. ii. p. 76.

Mary's commissioners had used every expedient to ward this blow which they saw coming upon them, and against which, it appears, they were not provided with any proper defence. As soon as Murray opened his charge, they endeavored to turn the conference from an inquiry into a negotiation; and though informed by the English commissioners that nothing could be more dishonorable for their mistress than to enter into a treaty with such undutiful subjects before she had justified herself from those enormous imputations which had been thrown upon her, they still insisted that Elizabeth should settle terms of accommodation between Mary and her enemies in Scotland.<sup>178</sup> They maintained that, till their mistress had given in her answer to Murray's charge, his proofs could neither be called for nor produced; <sup>179</sup> and finding that the English commissioners were still determined to proceed in the method which had been projected, they finally broke off the conferences, and never would make any reply. These papers, at least translations of them, have since been published. The objections made to their authenticity are, in general, of small force; but were they ever so specious, they cannot now be hearkened to; since Mary, at the time when the truth could have been fully cleared, did, in effect, ratify the evidence against her by recoiling from the inquiry at the very critical moment, and refusing to give an answer to the accusation of her enemies.<sup>180</sup>

But Elizabeth, though she had seen enough for her own satisfaction, was determined that the most eminent persons of her court should also be acquainted with these transactions, and should be convinced of the equity of her proceedings. She ordered her privy council to be assembled; and, that she might render the matter more solemn and authentic, she summoned, along with them, the Earls of Northumberland, Westmoreland, Shrewsbury, Worcester, Huntingdon, and Warwick. All the proceedings of the English commissioners were read to them; the evidences produced by Murray were perused; a great number of letters written by Mary to Elizabeth were laid before them, and the handwriting compared with that of the letters delivered in by the regent; the refusal of the Queen of Scots' commissioners to make any reply was related; and, on the whole,

<sup>178</sup> Anderson, vol. iv. part 2, pp. 135, 139. Goodall, vol. ii. p. 224.

<sup>179</sup> Anderson, vol. iv. part 2, pp. 139, 145. Goodall, vol. ii. p. 228.

<sup>180</sup> See note [U] at the end of the volume.



Elizabeth told them that as she had from the first thought it improper that Mary, after such horrid crimes were imputed to her, should be admitted to her presence before she had, in some measure, justified herself from the charge, so now, when her guilt was confirmed by so many evidences, and all answer refused, she must, for her part, persevere more steadily in that resolution.<sup>181</sup> Elizabeth next called in the Queen of Scots' commissioners, and, after observing that she deemed it much more decent for their mistress to continue the conferences than to require the liberty of justifying herself in person, she told them that Mary might either send her reply by a person whom she trusted, or deliver it herself to some English nobleman whom Elizabeth should appoint to wait upon her; but as to her resolution of making no reply at all, she must regard it as the strongest confession of guilt, nor could they ever be deemed her friends who advised her to that method of proceeding.<sup>182</sup> These topics she enforced still more strongly in a letter which she wrote to Mary herself.<sup>183</sup>

The Queen of Scots had no other subterfuge from these pressing remonstrances than still to demand a personal interview with Elizabeth—a concession which she was sensible would never be granted,<sup>184</sup> because Elizabeth knew that this expedient could decide nothing; because it brought matters to extremity, which that princess desired to avoid; and because it had been refused from the beginning, even before the commencement of the conferences. In order to keep herself better in countenance, Mary thought of another device. Though the conferences were broken off, she ordered her commissioners to accuse the Earl of Murray and his associates as the murderers of the king;<sup>185</sup> but this accusation, coming so late, being extorted merely by a complaint of Murray's, and being unsupported by any proof, could only be regarded as an angry recrimination upon her enemy.<sup>186</sup> She also desired to have copies of the papers given in by the regent; but as she still persisted in her resolution to make no reply before the English commissioners, this demand was finally refused her.<sup>187</sup>

As Mary had thus put an end to the conferences, the re-

<sup>181</sup> Anderson, vol. iv. part 2, p. 170, &c. Goodall, vol. ii. p. 254.

<sup>182</sup> Anderson, vol. iv. part 2, p. 179, &c. Goodall, vol. ii. p. 268.

<sup>183</sup> Anderson, vol. iv. part 2, p. 183. Goodall, vol. ii. p. 262.

<sup>184</sup> Cabala, p. 157.

<sup>185</sup> Goodall, vol. ii. p. 280.

<sup>186</sup> See note [X] at the end of the volume.

<sup>187</sup> Goodall, vol. ii. pp. 253, 283, 289, 310, 311. Haynes, vol. i. p. 492. See note [Y] at the end of the volume.

gent expressed great impatience to return into Scotland; and he complained that his enemies had taken advantage of his absence, and had thrown the whole government into confusion. Elizabeth therefore dismissed him, and granted him a loan of five thousand pounds to bear the charges of his journey.<sup>188</sup> During the conferences at York the Duke of Chatelrault arrived at London, in passing from France; and as the queen knew that he was engaged in Mary's party, and had very plausible pretensions to the regency of the King of Scots, she thought proper to detain him till after Murray's departure. But notwithstanding these marks of favor and some other assistance which she secretly gave this latter nobleman,<sup>189</sup> she still declined acknowledging the young king or treating with Murray as Regent of Scotland.

Orders were given for removing the Queen of Scots from Bolton, a place surrounded with Catholics, to Tutbury, in the county of Stafford, where she was put under the custody of the Earl of Shrewsbury. Elizabeth entertained hopes that this princess, discouraged by her misfortunes and confounded by the late transactions, would be glad to secure a safe retreat from all the tempests with which she had been agitated; and she promised to bury everything in oblivion, provided Mary would agree either voluntarily to resign her crown or to associate her son with her in the government, and the administration to remain, during his minority, in the hands of the Earl of Murray.<sup>190</sup> But that high-spirited princess refused all treaty upon such terms, and declared that her last words should be those of a Queen of Scotland. Besides many other reasons, she said, which fixed her in that resolution, she knew that if, in the present emergency, she made such concessions, her submission would be universally deemed an acknowledgment of guilt, and would ratify all the calumnies of her enemies.<sup>191</sup>

Mary still insisted upon this alternative: either that Elizabeth should assist her in recovering her authority, or should give her liberty to retire into France and make trial of the friendship of other princes; and as she asserted that she had come voluntarily into England, invited by many former professions of amity, she thought that one or other of these requests could not, without the most extreme injustice, be refused her. But Elizabeth, sensible of the danger

<sup>188</sup> Rymer, vol. xv. p. 677.

<sup>189</sup> MS. in the Advocates' Library, A. 3, 29, pp. 128, 129, 130, from Cott. Lib. Cal. c. 1.

<sup>190</sup> Goodall, vol. ii. 295.

<sup>191</sup> Goodall, vol. ii. p. 301.

which attended both these proposals, was secretly resolved to detain her still a captive; and as her retreat into England had been little voluntary, her claim upon the queen's generosity appeared much less urgent than she was willing to pretend. Necessity, it was thought, would, to the prudent, justify her detention; her past misconduct would apologize for it to the equitable; and though it was foreseen that compassion for Mary's situation, joined to her intrigues and insinuating behavior, would, while she remained in England, excite the zeal of her friends, especially of the Catholics, these inconveniences were deemed much inferior to those which attended any other expedient. Elizabeth trusted also to her own address for eluding all these difficulties: she purposed to avoid breaking absolutely with the Queen of Scots, to keep her always in hopes of an accommodation, to negotiate perpetually with her, and still to throw the blame of not coming to any conclusion either on unforeseen accidents or on the obstinacy and perverseness of others.

We come now to mention some English affairs which we left behind us that we might not interrupt our narrative of the events in Scotland, which form so material a part of the present reign. The term fixed by the treaty of Château-Cambresis for the restitution of Calais expired in 1567; and Elizabeth, after making her demands at the gates of that city, sent Sir Thomas Smith to Paris; and that minister, in conjunction with Sir Henry Norris, her resident ambassador, enforced her pretensions. Conferences were held on that head, without coming to any conclusion satisfactory to the English. The chancellor, De l'Hospital, told the English ambassadors that though France, by an article of the treaty, was obliged to restore Calais on the expiration of eight years, there was another article of the same treaty which now deprived Elizabeth of any right that could accrue to her by that engagement: that it was agreed, if the English should, during the interval, commit hostilities upon France, they should instantly forfeit all claims to Calais; and the taking possession of Havre and Dieppe, with whatever pretences that measure might be covered, was a plain violation of the peace between the nations: that though these places were not entered by force, but put into Elizabeth's hands by the governors, these governors were rebels; and a correspondence with such traitors was the most flagrant injury that could be committed on any sovereign: that, in the treaty which ensued upon the expulsion of the English from

Normandy, the French ministers had absolutely refused to make any mention of Calais, and had thereby declared their intention to take advantage of the title which had accrued to the crown of France: and that, though a general clause had been inserted, implying a reservation of all claims, this concession could not avail the English, who at that time possessed no just claim to Calais, and had previously forfeited all right to the fortress.<sup>192</sup> The queen was nowise surprised at these allegations; and as she knew that the French court intended not from the first to make restitution, much less after they could justify their refusal by such plausible reasons, she thought it better for the present to acquiesce in the loss than to pursue a doubtful title by a war both dangerous and expensive, as well as unseasonable.<sup>193</sup>

Elizabeth entered anew into negotiations for espousing the Archduke Charles; and she seems, at this time, to have had no great motive of policy which might induce her to make this fallacious offer; but as she was very rigorous in the terms insisted on, and would not agree that the archduke, if he espoused her, should enjoy any power or title in England, and even refused him the exercise of his religion, the treaty came to nothing; and that prince, despairing of success in his addresses, married the daughter of Albert, Duke of Bavaria.<sup>194</sup>

<sup>192</sup> Haynes, p. 587.

<sup>193</sup> Camden, p. 406.

<sup>194</sup> Camden, pp. 407, 408.



## CHAPTER XL.

CHARACTER OF THE PURITANS.—DUKE OF NORFOLK'S CONSPIRACY.—INSURRECTION IN THE NORTH.—ASSASSINATION OF THE EARL OF MURRAY.—A PARLIAMENT.—CIVIL WARS OF FRANCE.—AFFAIRS OF THE LOW COUNTRIES.—NEW CONSPIRACY OF THE DUKE OF NORFOLK.—TRIAL OF NORFOLK.—HIS EXECUTION.—SCOTCH AFFAIRS.—FRENCH AFFAIRS.—MASSACRE OF PARIS.—FRENCH AFFAIRS.—CIVIL WARS OF THE LOW COUNTRIES.—A PARLIAMENT.

OF all the European churches which shook off the yoke of papal authority, no one proceeded with so much reason and moderation as the church of England—an advantage which had been derived partly from the interposition of the civil magistrate in this innovation, partly from the gradual and slow steps by which the Reformation was conducted in that kingdom. Rage and animosity against the Catholic religion was as little indulged as could be supposed in such a revolution; the fabric of the secular hierarchy was maintained entire; the ancient liturgy was preserved so far as was thought consistent with the new principles; many ceremonies, become venerable from age and preceding use, were retained; the splendor of the Romish worship, though removed, had at least given place to order and decency; the distinctive habits of the clergy, according to their different ranks, were continued; no innovation was admitted merely from spite and opposition to former usage; and the new religion, by mitigating the genius of the ancient superstition, and rendering it more compatible with the peace and interests of society, had preserved itself in that happy medium which wise men have always sought, and which the people have so seldom been able to maintain.

But though such, in general, was the spirit of the Reformation in that country, many of the English reformers, being men of more warm complexions and more obstinate tempers, endeavored to push matters to extremities against the church of Rome, and indulged themselves in the most violent

contrariety and antipathy to all former practices. Among these, Hooper, who afterwards suffered for his religion with such extraordinary constancy, was chiefly distinguished. This man was appointed, during the reign of Edward, to the see of Gloucester, and made no scruple of accepting the episcopal office; but he refused to be consecrated in the episcopal habit, the cymar and rochet, which had formerly, he said, been abused by superstition, and which were thereby rendered unbecoming a true Christian. Cranmer and Ridley were surprised at this objection, which opposed the received practice, and even the established laws; and though young Edward, desirous of promoting a man so celebrated for his eloquence, his zeal, and his morals, enjoined them to dispense with this ceremony, they were still determined to retain it. Hooper then embraced the resolution rather to refuse the bishopric than clothe himself in those hated garments; but it was deemed requisite that, for the sake of the example, he should not escape so easily. He was first confined to Cranmer's house, then thrown into prison till he should consent to be a bishop on the terms proposed; he was plied with conferences, and reprimands, and arguments; Bucer and Peter Martyr and the most celebrated foreign reformers were consulted on this important question; and a compromise, with great difficulty, was at last made, that Hooper should not be obliged to wear commonly the obnoxious robes, but should agree to be consecrated in them, and to use them during cathedral service<sup>1</sup>—a condescension not a little extraordinary in a man of so inflexible a spirit as this reformer.

The same objection which had arisen with regard to the episcopal habit had been moved against the raiment of the inferior clergy; and the surplice, in particular, with the tippet and corner cap, was a great object of abhorrence to many of the popular zealots.<sup>2</sup> In vain was it urged that particular habits, as well as postures and ceremonies, having been constantly used by the clergy and employed in religious service, acquire a veneration in the eyes of the people, appear sacred in their apprehensions, excite their devotion, and contract a kind of mysterious virtue, which attaches the affections of men to the national and established worship; that, in order to produce this effect, an uniformity in these particulars is requisite, and even a perseverance, as far as possible, in the former practice; and that the nation would

<sup>1</sup> Burnet, vol. ii. p. 152. Heylin, p. 90.

<sup>2</sup> Strype, vol. i. p. 416.

be happy if, by retaining these inoffensive observances, the reformers could engage the people to renounce willingly what was absurd or pernicious in the ancient superstition. These arguments, which had influence with wise men, were the very reasons which engaged the violent Protestants to reject the habits. They pushed matters to a total opposition with the church of Rome; every compliance, they said, was a symbolizing with Antichrist.<sup>3</sup> And this spirit was carried so far by some reformers that, in a national remonstrance made afterwards by the church of Scotland against these habits, it was asked, "What has Christ Jesus to do with Belial? What has darkness to do with light? If surplices, corner caps, and tippets have been badges of idolaters in the very act of their idolatry, why should the preacher of Christian liberty, and the open rebuker of all superstition, partake with the dregs of the Romish beast? Yea, who is there that ought not rather to be afraid of taking in his hand or on his forehead the print and mark of that odious beast?"<sup>4</sup> But this application was rejected by the English church.

There was only one instance in which the spirit of contradiction to the Romanists took place universally in England: the altar was removed from the wall, was placed in the middle of the church, and was thenceforth denominated the communion-table. The reason why this innovation met with such general reception was that the nobility and gentry got thereby a pretence for making spoil of the plate, vestures, and rich ornaments which belonged to the altars.<sup>5</sup>

These disputes, which had been started during the reign of Edward, were carried abroad by the Protestants who fled from the persecutions of Mary; and as the zeal of these men had received an increase from the furious cruelty of their enemies, they were generally inclined to carry their opposition to the utmost extremity against the practices of the church of Rome. Their communication with Calvin and the other reformers who followed the discipline and worship of Geneva confirmed them in this obstinate reluctance; and though some of the refugees, particularly those who were established at Frankfort, still adhered to King Edward's liturgy, the prevailing spirit carried these confessors to seek a still farther reformation. On the accession of Elizabeth, they returned to their native country; and,

<sup>3</sup> Strype, vol. i. p. 416.

<sup>4</sup> Keith, p. 563. Knox, p. 402.

<sup>5</sup> Heylin, preface, p. 3. Hist. p. 106.

being regarded with general veneration on account of their zeal and past sufferings, they ventured to insist on the establishment of their projected model; nor did they want countenance from many considerable persons in the queen's council. But the princess herself, so far from being willing to despoil religion of the few ornaments and ceremonies which remained in it, was rather inclined to bring the public worship still nearer to the Romish ritual;<sup>6</sup> and she thought that the Reformation had already gone too far in shaking off those forms and observances which, without distracting men of more refined apprehensions, tend, in a very innocent manner, to allure, and amuse, and engage the vulgar. She took care to have a law for uniformity strictly enacted; she was empowered by the Parliament to add any new ceremonies which she thought proper; and though she was sparing in the exercise of this prerogative, she continued rigid in exacting an observance of the established laws, and in punishing all nonconformity. The zealots, therefore, who harbored a great antipathy to the episcopal order and to the whole liturgy, were obliged, in a great measure, to conceal these sentiments, which would have been regarded as highly audacious and criminal; and they confined their avowed objections to the surplice, the confirmation of children, the sign of the cross in baptism, the ring in marriage, kneeling at the sacrament, and bowing at the name of Jesus. So fruitless is it for sovereigns to watch with a rigid care over orthodoxy, and to employ the sword in religious controversy, that the work, perpetually renewed, is perpetually to begin; and a garb, a gesture, nay, a metaphysical or grammatical distinction, when rendered important by the disputes of theologians and the zeal of the magistrate, is sufficient to destroy the unity of the church, and even the peace of society. These controversies had already excited such ferment among the people that in some places they refused to frequent the churches where the habits and ceremonies were used; would not salute the conforming clergy; and pro-

<sup>6</sup> *When Nowel, one of her chaplains, had spoken less reverently, in a sermon preached before her, of the sign of the cross, she called aloud to him from her closet window, commanding him to retire from that ungodly digression, and to return unto his text. And on the other side, when one of her divines had preached a sermon in defence of the real presence, she openly gave him thanks for his pains and piety.*—Heylin, p. 124. She would have absolutely forbidden the marriage of the clergy if Cecil had not interposed (Strype's Life of Parker, pp. 107, 108, 109). She was an enemy to sermons; and usually said, that she thought two or three preachers were sufficient for a whole county. It was probably for these reasons that one Doring told her to her face from the pulpit, that she was like an untamed heifer, that would not be ruled by God's people, but obstructed his discipline (see Life of Hooker, prefixed to his works).



ceeded so far as to revile them in the streets, to spit in their faces, and to use them with all manner of contumely.<sup>7</sup> And while the sovereign authority checked these excesses, the flame was confined, not extinguished ; and, burning fiercer from confinement, it burst out in the succeeding reigns, to the destruction of the church and monarchy.

All enthusiasts, indulging themselves in rapturous flights, ecstasies, visions, inspirations, have a natural aversion to episcopal authority, to ceremonies, rites, and forms, which they denominate superstition, or beggarly elements, and which seem to restrain the liberal effusions of their zeal and devotion ; but there was another set of opinions adopted by these innovators which rendered them in a peculiar manner the object of Elizabeth's aversion. The same bold and daring spirit which accompanied them in their addresses to the Divinity appeared in their political speculations ; and the principles of civil liberty, which, during some reigns, had been little avowed in the nation, and which were totally incompatible with the present exorbitant prerogative, had been strongly adopted by this new sect. Scarcely any sovereign before Elizabeth, and none after her, carried higher, both in speculation and in practice, the authority of the crown ; and the Puritans (so these sectaries were called, on account of their pretending to a superior purity of worship and discipline) could not recommend themselves worse to her favor than by inculcating the doctrine of resisting or restraining princes. From all these motives, the queen neglected no opportunity of depressing those zealous innovators ; and while they were secretly countenanced by some of her most favorite ministers, Cecil, Leicester, Knolles, Bedford, Walsingham, she never was, to the end of her life, reconciled to their principles and practices.

We have thought proper to insert in this place an account of the rise and genius of the Puritans, because Camden marks the present year as the period when they began to make themselves considerable in England. We now return to our narration.

[1569.] The Duke of Norfolk was the only peer that enjoyed the highest title of nobility ; and as there were at present no princes of the blood, the splendor of his family, the opulence of his fortune, and the extent of his influence had rendered him without comparison the first subject in England. The qualities of his mind corresponded to his

<sup>7</sup> Strype's Life of Whitgift, p. 460.

high station ; beneficent, affable, generous, he had acquired the affections of the people ; prudent, moderate, obsequious, he possessed, without giving her any jealousy, the good graces of his sovereign. His grandfather and father had long been regarded as the leaders of the Catholics ; and this hereditary attachment, joined to the alliance of blood, had procured him the friendship of the most considerable men of that party ; but as he had been educated among the reformers, he was sincerely devoted to their principles, and maintained that strict decorum and regularity of life by which the Protestants were at that time distinguished : he thereby enjoyed the rare felicity of being popular even with the most opposite factions. The height of his prosperity alone was the source of his misfortunes, and engaged him in attempts from which his virtue and prudence would naturally have forever kept him at a distance.

Norfolk was at this time a widower ; and being of a suitable age his marriage with the Queen of Scots had appeared so natural that it had occurred to several of his friends and those of that princess ; but the first person who, after Secretary Lidington, opened the scheme to the duke is said to have been the Earl of Murray, before his departure for Scotland.<sup>8</sup> That nobleman set before Norfolk both the advantages of composing the dissensions in Scotland by an alliance which would be so generally acceptable, and the prospect of reaping the succession of England ; and, in order to bind Norfolk's interests the faster to Mary's, he proposed that the duke's daughter should also espouse the young King of Scotland. The previously obtaining of Elizabeth's consent was regarded both by Murray and Norfolk, as a circumstance essential to the success of their project ; and, all terms being adjusted between them, Murray took care, by means of Sir Robert Melvil, to have the design communicated to the Queen of Scots. This princess replied that the vexations which she had met with in her last two marriages had made her more inclined to lead a single life ; but she was determined to sacrifice her own inclinations to the public welfare, and therefore, as soon as she should be legally divorced from Bothwell, she would be determined by the opinions of her nobility and people in the choice of another husband.<sup>9</sup>

It is probable that Murray was not sincere in this proposal. He had two motives to engage him to dissimulation.

<sup>8</sup> Lesley, pp. 36, 37.

<sup>9</sup> Lesley, pp. 40, 41.

He knew the danger which he must run in his return through the north of England from the power of the Earls of Northumberland and Westmoreland, Mary's partisans in that country; and he dreaded an insurrection in Scotland from the Duke of Chatelrault and the Earls of Argyle and Huntley, whom she had appointed her lieutenants during her absence. By these feigned appearances of friendship he both engaged Norfolk to write in his favor to the northern noblemen,<sup>10</sup> and he persuaded the Queen of Scots to give her lieutenants permission, and even advice, to conclude a cessation of hostilities with the regent's party.<sup>11</sup>

The Duke of Norfolk, though he had agreed that Elizabeth's consent should be previously obtained before the completion of his marriage, had reason to apprehend that he never should prevail with her voluntarily to make that concession. He knew her perpetual and unrelenting jealousy against her heir and rival; he was acquainted with her former reluctance to all proposals of marriage with the Queen of Scots; he foresaw that this princess's espousing a person of his power and character and interest would give the greatest umbrage; and as it would then become necessary to reinstate her in possession of her throne on some tolerable terms, and even to endeavor the re-establishing of her character, he dreaded lest Elizabeth, whose politics had now taken a different turn, would never agree to such indulgent and generous conditions. He therefore attempted previously to gain the consent and approbation of several of the most considerable nobility; and he was successful with the Earls of Pembroke, Arundel, Derby, Bedford, Shrewsbury, Southampton, Northumberland, Westmoreland, Sussex.<sup>12</sup> Lord Lumley and Sir Nicholas Throgmorton cordially embraced the proposal; even the Earl of Leicester, Elizabeth's declared favorite, who had formerly entertained some views of espousing Mary, willingly resigned all his pretensions, and seemed to enter zealously into Norfolk's interests.<sup>13</sup> There were other motives besides affection to the duke which produced this general combination of the nobility.

Sir William Cecil, secretary of state, was the most vigilant, active, and prudent minister ever known in England; and as he was governed by no views but the interests of his sovereign, which he had inflexibly pursued, his authority over her became every day more predominant.

<sup>10</sup> State Trials, pp. 76, 68.

<sup>12</sup> Lesley, p. 55. Camden, p. 419. Spotswood, p. 230.

<sup>11</sup> Lesley, pp. 41.

<sup>13</sup> Haynes, p. 535.

Ever cool himself, and uninfluenced by prejudice or affection, he checked those sallies of passion, and sometimes of caprice, to which she was subject; and if he failed of persuading her in the first movement, his perseverance, and remonstrances, and arguments were sure at last to recommend themselves to her sound discernment. The more credit he gained with his mistress, the more was he exposed to the envy of her other counsellors; and as he had been supposed to adopt the interests of the house of Suffolk, whose claim seemed to carry with it no danger to the present establishment, his enemies, in opposition to him, were naturally led to attach themselves to the Queen of Scots. Elizabeth saw, without uneasiness, this emulation among her courtiers, which served to augment her own authority; and though she supported Cecil whenever matters came to extremities, and dissipated every conspiracy against him, particularly one laid about this time for having him thrown into the Tower on some pretence or other,<sup>14</sup> she never gave him such unlimited confidence as might enable him to entirely crush his adversaries.

Norfolk, sensible of the difficulty which he must meet with in controlling Cecil's counsels, especially where they concurred with the inclination as well as the interest of the queen, durst not open to her his intentions of marrying the Queen of Scots, but proceeded still in the same course of increasing his interest in the kingdom and engaging more of the nobility to take part in his measures. A letter was written to Mary by Leicester, and signed by several of the first rank, recommending Norfolk for her husband, and stipulating conditions for the advantage of both kingdoms; particularly that she should give sufficient surety to Elizabeth, and the heirs of her body, for the free enjoyment of the crown of England; that a perpetual league, offensive and defensive, should be made between their realms and subjects; that the Protestant religion should be established by law in Scotland; and that she should grant an amnesty to her rebels in that kingdom.<sup>15</sup> When Mary returned a favorable answer to this application, Norfolk employed himself with new ardor in the execution of his project; and besides securing the interests of many of the considerable gentry and nobility who resided at court, he wrote letters to such as lived at their country-seats and possessed the

<sup>14</sup> Camden, p. 417.

<sup>15</sup> Lesley, p. 50. Camden, p. 420. Haynes, pp. 535,



greatest authority in the several counties.<sup>16</sup> The Kings of France and Spain, who interested themselves extremely in Mary's cause, were secretly consulted, and expressed their approbation of these measures.<sup>17</sup> And though Elizabeth's consent was always supposed as a previous condition to the finishing of the alliance, it was apparently Norfolk's intention, when he proceeded such lengths without consulting her, to render his party so strong that it should no longer be in her power to refuse it.<sup>18</sup>

It was impossible that so extensive a conspiracy could entirely escape the queen's vigilance and that of Cecil. She dropped several intimations to the duke by which he might learn that she was acquainted with his designs, and she frequently warned him to beware on what pillow he reposed his head;<sup>19</sup> but he never had the prudence or the courage to open to her his full intentions. Certain intelligence of this dangerous combination was given her first by Leicester, then by Murray,<sup>20</sup> who, if ever he was sincere in promoting Norfolk's marriage, which is much to be doubted, had at least intended for his own safety, and that of his party, that Elizabeth should in reality, as well as in appearance, be entire arbiter of the conditions, and should not have her consent extorted by any confederacy of her own subjects. This information gave great alarm to the court of England, and the more so as those intrigues were attended with other circumstances of which, it is probable, Elizabeth was not wholly ignorant.

Among the nobility and gentry that seemed to enter into Norfolk's views there were many, who were zealously attached to the Catholic religion, who had no other design than that of restoring Mary to her liberty, and who would gladly, by a combination with foreign powers, or even at the expense of a civil war, have placed her on the throne of England. The Earls of Northumberland and Westmoreland, who possessed great power in the north, were leaders of this party; and the former nobleman made offer to the Queen of Scots, by Leonard Dacres, brother to Lord Dacres, that he would free her from confinement, and convey her to Scotland or any other place to which she should think proper to

<sup>16</sup> Lesley, p. 62.

<sup>17</sup> Lesley, p. 63.

<sup>18</sup> State Trials, vol. i. p. 82.

<sup>19</sup> Camden, p. 420. Spotswood, p. 231.

<sup>20</sup> Lesley, p. 71. It appears by Haynes, pp. 521, 525, that Elizabeth had heard rumors of Norfolk's dealing with Murray, and charged the latter to inform her of the whole truth, which he accordingly did. She also the Earl of Murray's letter produced on Norfolk's trial.

retire.<sup>21</sup> Sir Thomas and Sir Edward Stanley, sons of the Earl of Derby, Sir Thomas Gerrard, Rolstone, and other gentlemen, whose interest lay in the neighborhood of the place where Mary resided, concurred in the same views, and required that, in order to facilitate the execution of the scheme, a diversion should, in the mean time, be made on the side of Flanders.<sup>22</sup> Norfolk discouraged, and even in appearance suppressed, these conspiracies; both because his duty to Elizabeth would not allow him to think of effecting his purpose by rebellion, and because he foresaw that, if the Queen of Scots came into the possession of these men, they would rather choose for her husband the King of Spain or some foreign prince who had power, as well as inclination, to re-establish the Catholic religion.<sup>23</sup>

When men of honor and good principles, like the Duke of Norfolk, engage in dangerous enterprises, they are commonly so unfortunate as to be criminal by halves; and while they balance between the execution of their designs and their remorse their fear of punishment and their hope of pardon, they render themselves an easy prey to their enemies. The duke, in order to repress the surmises spread against him, spoke contemptuously to Elizabeth of the Scottish alliance; affirmed that his estate in England was more valuable than the revenue of a kingdom wasted by civil wars and factions; and declared that, when he amused himself in his own tennis-court at Norwich amidst his friends and vassals, he deemed himself at least a petty prince, and was fully satisfied with his condition.<sup>24</sup> Finding that he did not convince her by these asseverations, and that he was looked on with a jealous eye by the ministers, he retired to his country-seat without taking leave.<sup>25</sup> He soon after repented of this measure, and set out on his return to court, with a view of using every expedient to regain the queen's good graces; but he was met at St. Alban's by Fitz-Garret, lieutenant of the band of pensioners, by whom he was conveyed to Burnham, three miles from Windsor, where the court then resided.<sup>26</sup> He was soon after committed to the Tower, under the custody of Sir Henry Nevil.<sup>27</sup> Lesley, Bishop of Ross, the Queen of Scots' ambassador, was examined and confronted with Norfolk before the council.<sup>28</sup> The Earl of Pembroke was confined to his own house. Arundel, Lum-

<sup>21</sup> Lesley, p. 76.

<sup>24</sup> Camden, p. 420.

\* Camden, p. 421. Haynes, p. 540.

<sup>22</sup> Lesley, p. 98.

<sup>25</sup> Haynes, p. 528.

<sup>23</sup> Lesley, p. 77.

<sup>26</sup> Haynes, p. 339.

<sup>28</sup> Lesley, p. 80.

ley, and Throgmorton were taken into custody. The Queen of Scots herself was removed to Coventry; all access to her was, during some time, more strictly prohibited; and Viscount Hereford was joined to the Earls of Shrewsbury and Huntingdon in the office of guarding her.

A rumor had been diffused in the north of an intended rebellion; and the Earl of Sussex, president of York, alarmed with the danger, sent for Northumberland and Westmoreland, in order to examine them; but not finding any proof against them, he allowed them to depart. The report meanwhile gained ground daily; and many appearances of its reality being discovered, orders were despatched by Elizabeth to these two noblemen to appear at court and answer for their conduct.<sup>29</sup> They had already proceeded so far in their criminal designs that they dared not to trust themselves in her hands: they had prepared measures for a rebellion; had communicated their design to Mary and her ministers;<sup>30</sup> had entered into a correspondence with the Duke of Alva, governor of the Low Countries, had obtained his promise of a reinforcement of troops, and of a supply of arms and ammunition; and had prevailed on him to send over to London Chiapino Vitelli, one of his most famous captains, on pretence of adjusting some differences with the queen, but in reality with a view of putting him at the head of the northern rebels. The summons sent to the two earls precipitated the rising before they were fully prepared; and Northumberland remained in suspense between opposite dangers, when he was informed that some of his enemies were on the way with a commission to arrest him. He took horse instantly, and hastened to his associate Westmoreland, whom he found surrounded with his friends and vassals, and deliberating with regard to the measures which he should follow in the present emergency. They determined to begin the insurrection without delay; and the great credit of these two noblemen, with that zeal for the Catholic religion which still prevailed in the neighborhood, soon drew together multitudes of the common people. They published a manifesto, in which they declared that they intended to attempt nothing against the queen, to whom they avowed unshaken allegiance; and that their sole aim was to re-establish the religion of their ancestors, to remove evil counsel-

<sup>29</sup> Haynes, p. 552.

<sup>30</sup> Haynes, p. 595. Strype, vol. ii. Append. p. 30, MS. in the Advocates' Library, from Cott. Lib. Catal. c. 9.

lors, and to restore the Duke of Norfolk and other faithful peers to their liberty and to the queen's favor.<sup>31</sup> The number of the malcontents amounted to four thousand foot and sixteen hundred horse; and they expected the concurrence of all the Catholics in England.<sup>32</sup>

The queen was not negligent in her own defence, and she had beforehand, from her prudent and wise conduct, acquired the general good-will of her people—the best security of a sovereign—insomuch that even the Catholics in most countries expressed an affection for her service;<sup>33</sup> and the Duke of Norfolk himself, though he had lost her favor and lay in confinement, was not wanting, as far as his situation permitted, to promote the levies among his friends and retainers. Sussex, attended by the Earl of Rutland, the Lords Hunsdon, Evers, and Willoughby of Parham, marched against the rebels at the head of seven thousand men, and found them already advanced to the bishopric of Durham, of which they had taken possession. They retired before him to Hexham; and hearing that the Earl of Warwick and Lord Clinton were advancing against them with a great body, they found no other resource than to disperse themselves without striking a blow. The common people retired to their houses; the leaders fled into Scotland. Northumberland was found skulking in that country, and was confined by Murray in the castle of Lochleven. Westmoreland received shelter from the chieftains of the Kers and Scots, partisans of Mary; and persuaded them to make an inroad into England with a view of exciting a quarrel between the two kingdoms. After they had committed great ravages, they retreated to their own country. This sudden and precipitate rebellion was followed soon after by another still more imprudent, raised by Leonard Dacres. Lord Hunsdon, at the head of the garrison of Berwick, was able, without any other assistance, to quell these rebels. Great severity was exercised against such as had taken part in these rash enterprises. Sixty-six petty constables were hanged,<sup>34</sup> and no less than eight hundred persons are said, on the whole, to have suffered by the hands of the executioner.<sup>35</sup> But the queen was so well pleased with Norfolk's behavior that she released him from the Tower; allowed him to live, though under some show of confinement, in his own house; and only ex-

<sup>31</sup> Cabala, p. 169. Strype, vol. i. p. 547.

<sup>33</sup> Cabala, p. 170. Digges, p. 4.

<sup>34</sup> Camden, p. 423.

<sup>32</sup> Stowe, p. 663.

<sup>35</sup> Lesley, p. 82.



acted a promise from him not to proceed any farther in his negotiations with the Queen of Scots.<sup>36</sup>

Elizabeth now found that the detention of Mary was attended with all the ill consequences which she had foreseen when she first embraced that measure. This latter princess, recovering, by means of her misfortunes and her own natural good sense, from that delirium into which she seems to have been thrown during her attachment to Bothwell, had behaved with such modesty and judgment, and even dignity, that every one who approached her was charmed with her demeanor; and her friends were enabled, on some plausible grounds, to deny the reality of all those crimes which had been imputed to her.<sup>37</sup> Compassion for her situation, and the necessity of procuring her liberty, proved an incitement among all her partisans to be active in promoting her cause; and as her deliverance from captivity, it was thought, could nowise be effected but by attempts dangerous to the established government, Elizabeth had reason to expect little tranquillity so long as the Scottish queen remained a prisoner in her hands. But as this inconvenience had been preferred to the danger of allowing that princess to enjoy her liberty and to seek relief in all the Catholic courts of Europe, it behooved the queen to support the measure which she had adopted, and to guard by every prudent expedient, against the mischiefs to which it was exposed. She still flattered Mary with hopes of her protection, maintained an ambiguous conduct between that queen and her enemies in Scotland, negotiated perpetually concerning the terms of her restoration, made constant professions of friendship to her; and by these artifices endeavored both to prevent her from making any desperate efforts for her deliverance and to satisfy the French and Spanish ambassadors, who never intermitted their solicitations, sometimes accompanied with menaces, in her behalf. This deceit was received with the same deceit by the Queen of Scots: professions of confidence were returned by professions equally insincere; and while an appearance of friendship was maintained on both sides, the animosity and jealousy which had long prevailed between them became every day more inveterate and incurable. These two princesses, in address, capacity, activity, and spirit, were nearly a match for each other; but unhappily Mary, besides her present forlorn condition, was always

<sup>36</sup> Lesley, p. 98. Camden, p. 429. Haynes, p. 597.

<sup>37</sup> Lesley, p. 232. Haynes, pp. 511, 548.

inferior in personal conduct and discretion, as well as in power, to her illustrious rival.

Elizabeth and Mary wrote at the same time letters to the regent. The Queen of Scots desired that her marriage with Bothwell might be examined, and a divorce be legally pronounced between them. The Queen of England gave Murray the choice of three conditions: that Mary should be restored to her dignity on certain terms; that she should be associated with her son, and the administration remain in the regent's hands till the young prince should come to years of discretion; or that she should be allowed to live at liberty as a private person in Scotland, and have an honorable settlement made in her favor.<sup>38</sup> Murray summoned a convention of states in order to deliberate on these proposals of the two queens: no answer was made by them to Mary's letter, on pretence that she had there employed the style of a sovereign addressing herself to her subjects, but in reality because they saw that her request was calculated to prepare the way for a marriage with Norfolk or some powerful prince who could support her cause and restore her to the throne. They replied to Elizabeth that the two former conditions were so derogatory to the royal authority of their prince that they could not so much as deliberate concerning them; the third alone could be the subject of treaty. It was evident that Elizabeth, in proposing conditions so unequal in their importance, invited the Scots to a refusal of those which were most advantageous to Mary; and as it was difficult, if not impossible, to adjust all the terms of the third so as to render it secure and eligible to all parties, it was concluded that she was not sincere in any of them.<sup>39</sup>

[1570.] It is pretended that Murray had entered into a private negotiation with the queen to get Mary delivered into his hands;<sup>40</sup> and as Elizabeth found the detention of her in England so dangerous, it is probable that she would have been pleased, on any honorable or safe terms, to rid herself of a prisoner who gave her so much inquietude.<sup>41</sup> But all these projects vanished by the sudden death of the regent, who was assassinated, in revenge of a private injury, by a gentleman of the name of Hamilton. Murray was a person of considerable vigor, abilities and constancy; but though he was not unsuccessful, during his regency, in com-

<sup>38</sup> MSS. in the Advocates' Library, A. 329. p. 137, from Cott. Lib. Catal. c.

<sup>39</sup> Spotswood, pp. 230, 231. Lesley, p. 71.

<sup>40</sup> Camden, p. 425. Lesley, p. 38. <sup>41</sup> See note [Z] at the end of the volume.

posing the dissensions in Scotland, his talents shone out more eminently in the beginning than in the end of his life. His manners were rough and austere, and he possessed not that perfect integrity which frequently accompanies, and can alone atone for, that unamiable character.

By the death of the regent Scotland relapsed into anarchy. Mary's party assembled together, and made themselves masters of Edinburgh. The castle, commanded by Kirkaldy of Grange, seemed to favor her cause; and as many of the principal nobility had embraced that party, it became probable, though the people were in general averse to her, that her authority might again acquire the ascendant. To check its progress, Elizabeth despatched Sussex with an army to the north, under color of chastising the ravages committed by the borderers. He entered Scotland, and laid waste the lands of the Kers and Scots, seized the castle of Hume, and committed hostilities on all Mary's partisans, who, he said, had offended his mistress by harboring the English rebels. Sir William Drury was afterwards sent with a body of troops, and he threw down the houses of the Hamiltons, who were engaged in the same faction. The English armies were afterwards recalled by agreement with the Queen of Scots, who promised, in return, that no French troops should be introduced into Scotland, and that the English rebels should be delivered up to the queen by her partisans.<sup>42</sup>

But though the queen, covering herself with the pretence of revenging her own quarrel, so far contributed to support the party of the young King of Scots, she was cautious not to declare openly against Mary; and she even sent a request, which was equivalent to a command, to the enemies of that princess not to elect, during some time, a regent in the place of Murray.<sup>43</sup> Lenox, the king's grandfather, was therefore chosen temporary governor, under the title of Lieutenant. Hearing afterwards that Mary's partisans, instead of delivering up Westmoreland and the other fugitives as they had promised, had allowed them to escape into Flanders, she permitted the king's party to give Lenox the title of Regent,<sup>44</sup> and she sent Randolph, as her resident, to maintain a correspondence with him. But notwithstanding this step taken in favor of Mary's enemies, she never laid aside her ambiguous conduct, nor quitted the appearance of amity to that princess. Being importuned by the Bishop

<sup>42</sup> Lesley, p. 91.<sup>43</sup> Spotswood, p. 240.<sup>44</sup> Spotswood, p. 241.

of Ross and her other agents, as well as by foreign ambassadors, she twice procured a suspension of arms between the Scottish factions, and by that means stopped the hands of the regent, who was likely to obtain advantages over the opposite party.<sup>45</sup> By these seeming contrarieties she kept alive the factions in Scotland, increased their mutual animosity, and rendered the whole country a scene of devastation and of misery.<sup>46</sup> She had no intention to conquer the kingdom, and consequently no interest or design to instigate the parties against each other; but this consequence was an accidental effect of her cautious politics, by which she was engaged, as far as possible, to keep on good terms with the Queen of Scots, and never to violate the appearances of friendship with her, at least those of neutrality.<sup>47</sup>

The better to amuse Mary with the prospect of an accommodation, Cecil and Sir Walter Mildmay were sent to her with proposals from Elizabeth. The terms were somewhat rigorous, such as a captive queen might expect from a jealous rival; and they thereby bore the greater appearance of sincerity on the part of the English court. It was required that the Queen of Scots, besides renouncing all title to the crown of England during the lifetime of Elizabeth, should make a perpetual league, offensive and defensive, between the kingdoms; that she should marry no Englishman without Elizabeth's consent, nor any other person without the consent of the states of Scotland; that compensation should be made for the late ravages committed in England; that justice should be executed on the murderers of King Henry; that the young prince should be sent into England to be educated there; and that six hostages, all of them noblemen, should be delivered to the Queen of England, with the castle of Hume and some other fortress, for the security of the performance.<sup>48</sup> Such were the conditions upon which Elizabeth promised to contribute her endeavors towards the restoration of the deposed queen. The necessity of Mary's affairs obliged her to consent to them; and the Kings of France and Spain, as well as the pope, when consulted by her, approved of her conduct; chiefly on account of the civil wars by which all Europe was at that time agitated, and which incapacitated the Catholic princes from giving her any assistance.<sup>49</sup>

<sup>45</sup> Spotswood, p. 243.

<sup>46</sup> Crawford, p. 136.

<sup>48</sup> Spotswood, p. 245. Lesley, p. 101.

<sup>47</sup> See note [AA] at the end of the volume.

<sup>49</sup> Lesley, p. 109, &c.



Elizabeth's commissioners proposed also to Mary a plan of accommodation with her subjects in Scotland; and after some reasoning on that head, it was agreed that the queen should require Lenox, the regent, to send commissioners in order to treat of conditions under her mediation. The partisans of Mary boasted that all terms were fully settled with the court of England, and that the Scottish rebels would soon be constrained to submit to the authority of their sovereign; but Elizabeth took care that these rumors should meet with no credit, and that the king's party should not be discouraged nor sink too low in their demands. Cecil wrote to inform the regent that all the Queen of England's proposals, so far from being fixed and irrevocable, were to be discussed anew in the conference, and desired him to send commissioners who should be constant in the king's cause, and cautious not to make concessions which might be prejudicial to their party.<sup>50</sup> Sussex also, in his letters, dropped hints to the same purpose; and Elizabeth herself said to the Abbot of Dumfermling, whom Lenox had sent to the court of England, that she would not insist on Mary's restoration, provided the Scots could make the justice of their cause appear to her satisfaction; and that, even if their reasons should fall short of full conviction, she would take effectual care to provide for their future security.<sup>51</sup>

[1571.] The Parliament of Scotland appointed the Earl of Morton and Sir James Macgill, together with the Abbot of Dumfermling, to manage the treaty. These commissioners presented memorials containing reasons for the deposition of their queen; and they seconded their arguments with examples drawn from the Scottish history, with the authority of laws, and with the sentiments of many famous divines. The lofty ideas which Elizabeth had entertained of the absolute, indefeasible right of sovereigns, made her be shocked with these republican topics; and she told the Scottish commissioners that she was nowise satisfied with their reasons for justifying the conduct of their countrymen, and that they might therefore, without attempting any apology, proceed to open the conditions which they required for their security.<sup>52</sup> They replied that their commission did not empower them to treat of any terms which might infringe the title and sovereignty of their young king, but they would gladly hear whatever proposals should be made them by her majesty. The conditions recommended by the queen

<sup>50</sup> Spotswood, p. 245.

<sup>51</sup> Spotswood, pp. 247, 248.

<sup>52</sup> Spotswood, pp. 248, 249.

were not disadvantageous to Mary; but as the commissioners still insisted that they were not authorized to treat in any manner concerning the restoration of that princess,<sup>53</sup> the conferences were necessarily at an end, and Elizabeth dismissed the Scottish commissioners with injunctions that they should return after having procured more ample powers from their Parliament.<sup>54</sup> The Bishop of Ross openly complained to the English council that they had abused his mistress by fair promises and professions; and Mary herself was no longer at a loss to judge of Elizabeth's insincerity. By reason of these disappointments matters came still nearer to extremities between the two princesses; and the Queen of Scots, finding all her hopes eluded, was more strongly incited to make, at all hazards, every possible attempt for her liberty and security.

An incident also happened about this time which tended to widen the breach between Mary and Elizabeth, and to increase the vigilance and jealousy of the latter princess. Pope Pius V., who had succeeded Paul, after having endeavored in vain to conciliate by gentle means the friendship of Elizabeth, whom his predecessor's violence had irritated, issued at last a bull of excommunication against her, deprived her of all title to the crown, and absolved her subjects from their oaths of allegiance.<sup>55</sup> It seems probable that this attack on the queen's authority was made in concert with Mary, who intended by that means to forward the northern rebellion—a measure which was at that time in agitation.<sup>56</sup> John Felton affixed this bull to the gates of the Bishop of London's palace; and, scorning either to fly or to deny the fact, he was seized and condemned, and received the crown of martyrdom, for which he seems to have entertained so violent an ambition.<sup>57</sup>

A new Parliament, after five years' interval, was assembled at Westminster; and as the queen, by the rage of the pope against her, was become still more the head of the ruling party, it might be expected, both from this incident and from her own prudent and vigorous conduct, that her authority over the two Houses would be absolutely uncontrollable. It was so in fact; yet it is remarkable that it prevailed not without some small opposition, and that, too, arising chiefly from the height of zeal for Protestantism—a

<sup>53</sup> Haynes, p. 623.

<sup>54</sup> Spotswood, pp. 249, 250, &c. Lesley, pp. 133, 136. Camden, pp. 431, 432.

<sup>55</sup> Camden, p. 427.

<sup>56</sup> Camden, p. 441, from Cajetan's Life of Pius V.

<sup>57</sup> Camden, p. 428.

disposition of the English which in general contributed extremely to increase the queen's popularity. We shall be somewhat particular in relating the transactions of this session, because they show as well the extent of the royal power during that age as the character of Elizabeth and the genius of her government. It will be curious also to observe the faint dawn of the spirit of liberty among the English, the jealousy with which that spirit was repressed by the sovereign, the imperious conduct which was maintained in opposition to it, and the ease with which it was subdued by this arbitrary princess.

The Lord-keeper Bacon, after the speaker of the Commons was elected, told the Parliament, in the queen's name, that she enjoined them not to meddle with any matters of state<sup>58</sup> (such was his expression); by which he probably meant the questions of the queen's marriage and the succession, about which they had before given her some uneasiness. For as to the other great points of government, alliances, peace and war, or foreign negotiations, no Parliament in that age ever presumed to take them under consideration, or question, in these particulars, the conduct of their sovereign or of his ministers.

In the former Parliament the Puritans had introduced seven bills for a farther reformation in religion, but they had not been able to prevail in any one of them.<sup>59</sup> This House of Commons had sitten a very few days, when Stricland, a member, revived one of the bills, that for the amendment of the liturgy.<sup>60</sup> The chief objection which he mentioned was the sign of the cross in baptism. Another member added the kneeling at the sacrament; and remarked that, if a posture of humiliation was requisite in that act of devotion, it were better that the communicants should throw themselves prostrate on the ground, in order to keep at the widest distance from former superstition.<sup>61</sup>

Religion was a point of which Elizabeth was, if possible, still more jealous than of matters of state. She pretended that, in quality of supreme head or governor of the church, she was fully empowered, by her prerogative alone, to decide all questions which might arise with regard to doctrine, discipline, or worship; and she never would allow her Parliaments so much as to take these points into consideration.<sup>62</sup> The courtiers did not forget to insist on this topic: the

<sup>58</sup> D'Ewes, p. 141.

<sup>61</sup> D'Ewes, p. 167.

<sup>59</sup> D'Ewes, p. 185.

<sup>62</sup> D'Ewes, p. 158.

<sup>60</sup> D'Ewes, pp. 156, 157.

treasurer of the household, though he allowed that any heresy might be repressed by Parliament (a concession which seems to have been rash and unguarded, since the act investing the crown with the supremacy, or rather recognizing that prerogative, gave the sovereign full power to reform all heresies), yet he affirmed that it belonged to the queen alone, as head of the church, to regulate every question of ceremony in worship.<sup>63</sup> The comptroller seconded this argument, insisted on the extent of the queen's prerogative, and said that the House might, from former examples, have taken warning not to meddle with such matters. One Pistor opposed these remonstrances of the courtiers. He was scandalized, he said, that affairs of such infinite consequence (namely, kneeling and making the sign of the cross) should be passed over so lightly. These questions, he added, concern the salvation of souls, and interest every one more deeply than the monarchy of the whole world. This cause he showed to be the cause of God; the rest were all but terrene, yea, trifles in comparison, call them ever so great: subsidies, crowns, kingdoms, he knew not what weight they had when laid in the balance with subjects of such unspeakable importance.<sup>64</sup> Though the zeal of this member seems to be approved of, the House, overawed by the prerogative, voted upon the question that a petition should be presented to her majesty for a license to proceed farther in this bill, and, in the mean time, that they should stop all debate or reasoning concerning it.<sup>65</sup>

Matters would probably have rested here, had not the queen been so highly offended with Stricland's presumption in moving the bill for reformation of the liturgy that she summoned him before the council, and prohibited him thenceforth from appearing in the House of Commons.<sup>66</sup> This act of power was too violent even for the submissive Parliament to endure. Carleton took notice of the matter; complained that the liberties of the House were invaded; observed that Stricland was not a private man, but represented a multitude; and moved that he might be sent for, and, if he were guilty of any offence, might answer for it at the bar of the House, which he insinuated to be the only competent tribunal.<sup>67</sup> Yelverton enforced the principles of liberty with still greater boldness. He said that the precedent was dangerous; and though in this happy time of

<sup>63</sup> D'Ewes, p. 166.

<sup>66</sup> D'Ewes, p. 175.

<sup>64</sup> *Ibid.*

<sup>67</sup> *Ibid.*

<sup>65</sup> D'Ewes, p. 167.



lenity, among so many good and honorable personages as were at present invested with authority, nothing of extremity or injury was to be apprehended, yet the times might alter; what now is permitted might hereafter be construed as a duty, and might be enforced even on the ground of the present permission. He added that all matters not treasonable, or which implied not *too much* derogation of the imperial crown, might, without offence, be introduced into Parliament, where every question that concerned the community must be considered, and where even the right of the crown itself must finally be determined. He remarked that men sat not in that House in their private capacities, but as elected by their country; and though it was proper that the prince should retain his prerogative, yet was that prerogative limited by law: as the sovereign could not of himself make laws, neither could he break them merely from his own authority.<sup>68</sup>

These principles were popular, and noble, and generous; but the open assertion of them was, at this time, somewhat new in England; and the courtiers were more warranted by present practice when they advanced a contrary doctrine. The treasurer warned the House to be cautious in their proceedings: neither to venture farther than their assured warrant might extend nor hazard their good opinion with her majesty in any doubtful cause. The member, he said, whose attendance they required was not restrained on account of any liberty of speech, but for his exhibiting a bill in the House against the prerogative of the queen, a temerity which was not to be tolerated. And he concluded with observing that even speeches made in the House had been questioned and examined by the sovereign.<sup>69</sup> Cleere, another member, remarked that the sovereign's prerogative is not so much as disputable, and that the safety of the queen is the safety of the subject. He added that, in questions of divinity, every man was for his instruction to repair to his ordinary; and he seems to insinuate that the bishops themselves, for their instruction, must repair to the queen.<sup>70</sup> Fleetwood observed that, in his memory, he knew a man who, in the fifth of the present queen, had been called to account for a speech in the House. But lest this example should be deemed too recent, he would inform them, from the Parliament rolls, that in the reign of Henry V. a bishop was committed to prison by the king's command on account

<sup>68</sup> D'Ewes, pp. 175, 176.<sup>69</sup> D'Ewes, p. 175.<sup>70</sup> *Ibid.*

of his freedom of speech; and the Parliament presumed not to go farther than to be humble suitors for him. In the subsequent reign the speaker himself was committed, with another member; and the House found no other remedy than a like submissive application. He advised the House to have recourse to the same expedient, and not to presume either to send for their member or demand him as of right.<sup>71</sup> During his speech, those members of the privy council who sat in the House whispered together; upon which the speaker moved that the House should make stay of all farther proceedings, a motion which was immediately complied with. The queen, finding that the experiment which she had made was likely to excite a great ferment, saved her honor by this silence of the House; and lest the question should be resumed, she sent next day to Stricland her permission to give his attendance in Parliament.<sup>72</sup>

Notwithstanding this rebuke from the throne, the zeal of the Commons still engaged them to continue the discussion of those other bills which regarded religion; but they were interrupted by a still more arbitrary proceeding of the queen, in which the Lords condescended to be her instruments. This House sent a message to the Commons desiring that a committee might attend them. Some members were appointed for that purpose; and the Upper House acquainted them that the queen's majesty, being informed of the articles of reformation which they had canvassed, approved of them, intended to publish them, and to make the bishops execute them by virtue of her royal authority as supreme head of the church of England, but that she would not permit them to be treated in Parliament.<sup>73</sup> The House, though they did not entirely stop proceedings on account of this injunction, seem to have been nowise offended at such haughty treatment; and in the issue all the bills came to nothing.

A motion made by Robert Bell, a Puritan, against an exclusive patent granted to a company of merchants in Bristol,<sup>74</sup> gave also occasion to several remarkable incidents. The queen, some days after the motion was made, sent orders, by the mouth of the speaker, commanding the House to spend little time in motions, and to avoid long speeches. All the members understood that she had been offended because a matter had been moved which seemed to touch

<sup>71</sup> D'Ewes, p. 176.

<sup>72</sup> Ibid.

<sup>73</sup> D'Ewes, pp. 180, 185.

<sup>74</sup> D'Ewes, p. 185.

her prerogative.<sup>75</sup> Fleetwood accordingly spoke of this delicate subject. He observed that the queen had a prerogative of granting patents; that to question the validity of any patent was to invade the royal prerogative; that all foreign trade was entirely subject to the pleasure of the sovereign; that even the statute which gave liberty of commerce admitted of all prohibitions from the crown; and that the prince, when he granted an exclusive patent, only employed the power vested in him, and prohibited all others from dealing in any particular branch of commerce. He quoted the clerk of the Parliament's book to prove that no man might speak in Parliament of the statute of wills unless the king first gave license, because the royal prerogative in the wards was thereby touched. He showed likewise the statutes of Edward I., Edward III., and Henry IV., with a saving of the prerogative. And in Edward VI.'s time the protector was applied to for his allowance to mention matters of prerogative.<sup>76</sup>

Sir Humphrey Gilbert, the gallant and renowned sea-adventurer, carried these topics still farther. He endeavored to prove the motion made by Bell to be a vain device, and perilous to be treated of; since it tended to the derogation of the prerogative imperial, which, whoever should attempt so much as in fancy, could not, he said, be otherwise accounted than an open enemy. For what difference is there between saying that the queen is not to use the privilege of the crown, and saying she is not queen? and though experience has shown so much clemency in her majesty as might, perhaps, make subjects forget their duty, it is not good to sport or venture too much with princes. He reminded them of the fable of the hare who, upon the proclamation that all horned beasts should depart the court, immediately fled lest his ears should be construed to be horns; and by this apologue he seems to insinuate that even those who heard or permitted such dangerous speeches would not themselves be entirely free from danger. He desired them to beware lest, if they meddled farther with these matters, the queen might look to her own power, and, finding herself able to suppress their challenged liberty, and to exert an arbitrary authority, might imitate the example of Louis XI. of France, who, as he termed it, delivered the crown from wardship.<sup>77</sup>

Though this speech gave some disgust, nobody, at the time, replied any thing but that Sir Humphrey mistook the

<sup>75</sup> D'Ewes, p. 159.<sup>76</sup> D'Ewes, p. 160.<sup>77</sup> D'Ewes, p. 168.

meaning of the House, and of the member who made the motion ; they never had any other purpose than to represent their grievances, in due and seemly form, unto her majesty. But in a subsequent debate Peter Wentworth, a man of a superior free spirit, called that speech an insult on the House ; noted Sir Humphrey's disposition to flatter and fawn on the prince ; compared him to the chameleon, which can change itself into all colors except white ; and recommended to the House a due care of liberty of speech and of the privileges of Parliament.<sup>78</sup> It appears, on the whole, that the motion against the exclusive patent had no effect. Bell, the member who first introduced it, was sent for by the council, and was severely reprimanded for his temerity. He returned to the House with such an amazed countenance that all the members, well informed of the reason, were struck with terror ; and during some time no one durst rise to speak of any matter of importance, for fear of giving offence to the queen and the council. Even after the fears of the Commons were somewhat abated the members spoke with extreme precaution ; and, by employing most of their discourse in preambles and apologies, they showed their conscious terror of the rod which hung over them. Wherever any delicate point was touched, though ever so gently, nay, seemed to be approached, though at ever so great a distance, the whisper ran about the House, "The queen will be offended, the council will be extremely displeased ;" and by these surmises men were warned of the danger to which they exposed themselves. It is remarkable that the patent which the queen defended with such imperious violence was contrived for the profit of four courtiers, and was attended with the utter ruin of seven or eight thousand of her industrious subjects.<sup>79</sup>

Thus everything which passed the two Houses was extremely respectful and submissive ; yet did the queen think it incumbent on her, at the conclusion of the session, to check, and that with great severity, those feeble efforts of liberty which had appeared in the motions and speeches of some members. The lord-keeper told the Commons, in her majesty's name, that though the majority of the Lower House had shown themselves, in their proceedings, discreet and dutiful, yet a few of them had discovered a contrary character, and had justly merited the reproach of audacious, arrogant, and presumptuous ; contrary to their duty both as

<sup>78</sup> D'Ewes, p. 175.

<sup>79</sup> D'Ewes, p. 242.



subjects and Parliament-men, nay, contrary to the express injunctions given them from the throne at the beginning of the session, injunctions which it might well become them to have better attended to, they had presumed to call in question her majesty's grants and prerogatives. But her majesty warns them that, since they thus wilfully forget themselves, they are otherwise to be admonished: some other species of correction must be found for them; since neither the commands of her majesty nor the example of their wiser brethren can reclaim their audacious, arrogant, and presumptuous folly by which they are thus led to meddle with what nowise belongs to them, and what lies beyond the compass of their understanding.<sup>80</sup>

In all these transactions appears clearly the opinion which Elizabeth had entertained of the duty and authority of Parliaments. They were not to canvass any matters of state; still less were they to meddle with the church. Questions of either kind were far above their reach, and were appropriated to the prince alone, or to those councils and ministers with whom he was pleased to intrust them. What then was the office of Parliaments? They might give directions for the due tanning of leather or milling of cloth, for the preservation of pheasants and partridges, for the reparation of bridges and highways, for the punishment of vagabonds or common beggars. Regulations concerning the police of the country came properly under their inspection; and the laws of this kind which they prescribed had, if not a greater, yet a more durable authority than those which were derived solely from the proclamations of the sovereign. Precedents or reports could fix a rule for decisions in private property or the punishment of crimes; but no alteration or innovation in the municipal law could proceed from any other source than the Parliament, nor would the courts of justice be induced to change their established practice by an order of council. But the most acceptable part of parliamentary proceedings was the granting of subsidies, the attainting and punishing of the obnoxious nobility, or any minister of state after his fall; the countenancing of such great efforts of power as might be deemed somewhat exceptionable when they proceeded entirely from the sovereign. The redress of grievances was sometimes promised to the people, but seldom could have place; while it was an established rule that the prerogatives of the crown must not be

<sup>80</sup> D'Ewes, p. 151.

abridged, nor so much as questioned and examined in Parliament. Even though monopolies and exclusive companies had already reached an enormous height, and were every day increasing, to the destruction of all liberty and extinction of all industry, it was criminal in a member to propose, in the most dutiful and regular manner, a parliamentary application against any of them.

These maxims of government were not kept secret by Elizabeth, nor smoothed over by any fair appearances or plausible pretences. They were openly avowed in her speeches and messages to Parliament, and were accompanied with all the haughtiness, nay, sometimes bitterness, of expression which the meanest servant could look for from his offended master. Yet, notwithstanding this conduct, Elizabeth continued to be the most popular sovereign that ever swayed the sceptre of England, because the maxims of her reign were conformable to the principles of the times, and to the opinion generally entertained with regard to the constitution. The continued encroachments of popular assemblies on Elizabeth's successors have so changed our ideas in these matters that the passages above mentioned appear to us extremely curious, and even, at first, surprising; but they were so little remarked during the time that neither Camden, though a contemporary writer, nor any other historian has taken any notice of them. So absolute, indeed, was the authority of the crown that the precious spark of liberty had been kindled, and was preserved, by the Puritans alone; and it was to this sect, whose principles appear so frivolous and habits so ridiculous, that the English owe the whole freedom of their constitution. Actuated by that zeal which belongs to innovators, and by the courage which enthusiasm inspires, they hazarded the utmost indignation of their sovereign; and employing all their industry to be elected into Parliament—a matter not difficult, while a seat was rather regarded as a burden than an advantage<sup>81</sup>—they first acquired a majority in that assembly, and then obtained an ascendant over the church and monarchy.

The following were the principal laws enacted this session. It was declared treason, during the lifetime of the queen, to affirm that she was not the lawful sovereign, or that any other possessed a preferable title, or that she was a

<sup>81</sup> It appeared this session that a bribe of four pounds had been given to a mayor for a seat in Parliament. D'Ewes, p. 181. It is probable that the member had no other view than the privilege of being free from arrests.

heretic, schismatic, or infidel, or that the laws and statutes cannot limit and determine the right of the crown and the successor thereof; to maintain in writing or printing that any person except the *natural issue* of her body is, or ought to be, the queen's heir or successor subjected the person and all his abettors, for the first offence, to imprisonment during a year, and to the forfeiture of half their goods; the second offence subjected them to the penalty of a *præmunire*.<sup>82</sup> This law was plainly levelled against the Queen of Scots and her partisans, and implied an avowal that Elizabeth never intended to declare her successor. It may be noted that the usual phrase of *lawful issue*, which the Parliament thought indecent towards the queen, as if she could be supposed to have any other, was changed into that of *natural issue*. But this alteration was the source of pleasantry during the time; and some suspected a deeper design; as if Leicester intended, in case of the queen's demise, to produce some bastard of his own and affirm that he was her offspring.<sup>83</sup>

It was also enacted that whosoever, by bulls, should publish absolutions, or other rescripts of the pope, or should, by means of them, reconcile any man to the church of Rome, such offenders, as well as those who were so reconciled, should be guilty of treason. The penalty of a *præmunire* was imposed on every one who imported any *Agnus Dei*, crucifix, or such other implement of superstition, consecrated by the pope.<sup>84</sup> The former laws against usury were enforced by a new statute.<sup>85</sup> A supply of one subsidy and two fifteenths was granted by Parliament. The queen, as she was determined to yield to them none of her power, was very cautious in asking them for any supply. She endeavored either by a rigid frugality to make her ordinary revenues suffice for the necessities of the crown, or she employed her prerogative, and procured money by the granting of patents, monopolies, or by some such ruinous expedient.

Though Elizabeth possessed such uncontrolled authority over her Parliaments, and such extensive influence over her people, though during a course of thirteen years she had maintained the public tranquillity, which was only interrupted by the hasty and ill-concerted insurrection in the north, she was still kept in great anxiety, and felt her throne perpetually totter under her. The violent commotions excited in France and the Low Countries, as well as in Scot-

<sup>82</sup> 13 Eliz. c. 1.<sup>83</sup> Camden, p. 436.<sup>84</sup> 13 Eliz. c. 2.<sup>85</sup> 13 Eliz. c. 8.

land, seemed, in one view, to secure her against any disturbance; but they served, on more reflection, to instruct her in the danger of her situation, when she remarked that England, no less than these neighboring countries, contained the seeds of intestine discord, the differences of religious opinion, and the furious intolerance and animosity of the opposite sectaries.

The league formed at Bayonne, in 1566, for the extermination of the Protestants, had not been concluded so secretly but intelligence of it had reached Condé, Coligny, and the other leaders of the Huguenots; and finding that the measures of the court agreed with their suspicions, they determined to prevent the cruel perfidy of their enemies, and to strike a blow before the Catholics were aware of the danger. The Huguenots, though dispersed over the whole kingdom, formed a kind of separate empire; and being closely united, as well by their religious zeal as by the dangers to which they were perpetually exposed, they obeyed, with entire submission, the orders of their leaders, and were ready on every signal to fly to arms. The king and queen-mother were living in great security at Monceaux in Brie, when they found themselves surrounded by Protestant troops, which had secretly marched thither from all quarters; and had not a body of Swiss come speedily to their relief, and conducted them with great intrepidity to Paris, they must have fallen, without resistance, into the hands of the malcontents. A battle was afterwards fought in the plains of St. Denis, where, though the old constable Montmorency, the general of the Catholics, was killed, combating bravely at the head of his troops, the Huguenots were finally defeated. Condé, collecting his broken forces, and receiving a strong reinforcement from the German Protestants, appeared again in the field, and laying siege to Chartres, a place of great importance, obliged the court to agree to a new accommodation.

So great was the mutual animosity of those religionists, that even had the leaders on both sides been ever so sincere in their intentions for peace, and reposed ever so much confidence in each other, it would have been difficult to retain the people in tranquillity; much more where such extreme jealousy prevailed, and where the court employed every pacification as a snare for their enemies. A plan was laid for seizing the person of the prince and admiral, who narrowly escaped to Rochelle, and summoned their partisans to



their assistance.<sup>86</sup> The civil wars were renewed with greater fury than ever, and the parties became still more exasperated against each other. The young Duke of Anjou, brother to the king, commanded the forces of the Catholics, and fought, in 1569, a great battle at Jarnac with the Huguenots, where the Prince of Condé was killed and his army defeated. This discomfiture, with the loss of so great a leader, reduced not the Huguenots to despair. The admiral still supported the cause; and having placed at the head of the Protestants the Prince of Navarre, then sixteen years of age, and the young Prince of Condé, he encouraged the party rather to perish bravely in the field than ignominiously by the hands of the executioner. He collected such numbers, so determined to endure every extremity, that he was enabled to make head against the Duke of Anjou; and being strengthened by a new reinforcement of Germans, he obliged that prince to retreat, and to divide his forces.

Coligny then laid siege to Poitiers; and as the eyes of all France were fixed on his enterprise, the Duke of Guise, emulous of the renown which his father had acquired by the defence of Metz, threw himself into the place, and so animated the garrison by his valor and conduct that the admiral was obliged to raise the siege. Such was the commencement of that unrivalled fame and grandeur afterwards attained by this Duke of Guise. The attachment which all the Catholics had borne to his father was immediately transferred to the son, and men pleased themselves in comparing all the great and shining qualities which seemed in a manner hereditary in that family. Equal in affability, in munificence, in address, in eloquence, and in every quality which engages the affections of men, equal also in valor, in conduct, in enterprise, in capacity, there seemed only this difference between them, that the son, educated in more turbulent times, and finding a greater dissolution of all law and order, exceeded the father in ambition and temerity, and was engaged in enterprises still more destructive to the authority of his sovereign and to the repose of his native country.

Elizabeth, who kept her attention fixed on the civil commotions of France, was nowise pleased with this new rise of her enemies the Guises; and being anxious for the fate of the Protestants, whose interests were connected with her own,<sup>87</sup> she was engaged, notwithstanding her aversion from all rebellion, and from all opposition to the will of the sov-

<sup>86</sup> Davila, lib. 4.

<sup>87</sup> Haynes, p. 471.

ereign, to give them secretly some assistance. Besides employing her authority with the German princes, she lent money to the Queen of Navarre, and received some jewels as pledges for the loan, and she permitted Henry Champernon to levy and transport over into France a regiment of a hundred gentlemen volunteers, among whom Walter Raleigh, then a young man, began to distinguish himself in that great school of military valor.<sup>88</sup> The admiral, constrained by the impatience of his troops, and by the difficulty of subsisting them, fought with the Duke of Anjou the battle of Moncontour in Poictou, where he was wounded and defeated. The court of France, notwithstanding their frequent experience of the obstinacy of the Huguenots and the vigor of Coligny, vainly flattered themselves that the force of the rebels was at last finally annihilated, and they neglected farther preparations against a foe who, they thought, could never more become dangerous. They were surprised to hear that this leader had appeared without dismay in another quarter of the kingdom; had encouraged the young princes whom he governed to like constancy; had assembled an army; had taken the field; and was even strong enough to threaten Paris. The public finances, diminished by the continued disorders of the kingdom, and wasted by so many fruitless military enterprises, could no longer bear the charge of a new armament; and the king, notwithstanding his extreme animosity against the Huguenots, was obliged, in 1570, to conclude an accommodation with them, to grant them a pardon for all past offences, and to renew the edicts for liberty of conscience.

Though a pacification was seemingly concluded, the mind of Charles was nowise reconciled to his rebellious subjects; and this accommodation, like all the foregoing, was nothing but a snare by which the perfidious court had projected to destroy at once, without danger, all its formidable enemies. As the two young princes, the admiral, and the other leaders of the Huguenots, instructed by past experience, discovered an extreme distrust of the king's intentions, and kept themselves in security at a distance, all possible artifices were employed to remove their apprehensions, and to convince them of the sincerity of the new counsels which seemed to be embraced. The terms of the peace were religiously observed to them; the toleration was strictly maintained; all attempts made by the zealous Cath-

<sup>88</sup> Camden, p. 423.

olies to infringe it were punished with severity; offices and favors and honors were bestowed on the principal nobility among the Protestants; and the king and council everywhere declared that, tired of civil disorders, and convinced of the impossibility of forcing men's consciences, they were thenceforth determined to allow every one the free exercise of his religion.

Among the other artifices employed to lull the Protestants into a fatal security, Charles affected to enter into close connection with Elizabeth; and as it seemed not the interest of France to forward the union of the two kingdoms of Great Britain, that princess the more easily flattered herself that the French monarch would prefer her friendship to that of the Queen of Scots. The better to deceive her, proposals of marriage were made her with the Duke of Anjou, a prince whose youth, beauty, and reputation for valor might naturally be supposed to recommend him to a woman who had appeared not altogether insensible to these endowments. The queen immediately founded on this offer the project of deceiving the court of France; and being intent on that artifice, she laid herself the more open to be deceived. Negotiations were entered into with regard to the marriage; terms of the contract were proposed, difficulties started and removed; and the two courts, equally insincere, though not equally culpable, seemed to approach every day nearer to each other in their demands and concessions. The great obstacle seemed to lie in adjusting the difference of religion, because Elizabeth, who recommended toleration to Charles, was determined not to grant it in her own dominions, not even to her husband; and the Duke of Anjou seemed unwilling to submit, for the sake of interest, to the dishonor of an apostasy.<sup>89</sup>

The artificial politics of Elizabeth never triumphed so much in any contrivances as in those which were conjoined with her coquetry; and as her character in this particular was generally known, the court of France thought that they might, without danger of forming any final conclusion, venture the farther in their concessions and offers to her. The queen also had other motives for dissimulation. Besides the advantage of discouraging Mary's partisans by the prospect of an alliance between France and England, her situation with Philip demanded her utmost vigilance and atten-

<sup>89</sup> Camden, p. 433. Davila, lib. 5. Digges's Complete Ambassador, pp. 84, 110, 111.

tion; and the violent authority established in the Low Countries made her desirous of fortifying herself even with the bare appearance of a new confederacy.

The theological controversies which had long agitated Europe had, from the beginning, penetrated into the Low Countries; and as these provinces maintained an extensive commerce, they had early received from every kingdom with which they corresponded a tincture of religious innovation. An opinion at that time prevailed, which had been zealously propagated by priests and implicitly received by sovereigns, that heresy was closely connected with rebellion, and that every great or violent alteration in the church involved a like revolution in the civil government. The forward zeal of the reformers would seldom allow them to wait the consent of the magistrate to their innovations; they became less dutiful when opposed and punished; and though their pretended spirit of reasoning and inquiry was, in reality, nothing but a new species of implicit faith, the prince took the alarm, as if no institutions could be secure from the temerity of their researches. The Emperor Charles, who proposed to augment his authority under pretence of defending the Catholic faith, easily adopted these political principles; and notwithstanding the limited prerogative which he possessed in the Netherlands, he published the most arbitrary, severe, and tyrannical edicts against the Protestants, and he took care that the execution of them should be no less violent and sanguinary. He was neither cruel nor bigoted in his natural disposition; yet an historian, celebrated for moderation and caution, has computed that in the several prosecutions promoted by that monarch no less than a hundred thousand persons perished by the hands of the executioner.<sup>90</sup> But these severe remedies, far from answering the purposes intended, had rather served to augment the numbers as well as zeal of the reformers; and the magistrates of the several towns, seeing no end of those barbarous executions, felt their humanity rebel against their principles, and declined any farther persecution of the new doctrines.

When Philip succeeded to his father's dominions, the Flemings were justly alarmed with new apprehensions lest their prince, observing the lenity of the magistrates, should

<sup>90</sup> Grotii Annal. lib. 1. Father Paul, another great authority, computes, in a passage above cited, that fifty thousand persons were put to death in the Low Countries alone.



take the execution of the edicts from such remiss hands, and should establish the inquisition in the Low Countries, accompanied with all the iniquities and barbarities which attended it in Spain. The severe and unrelenting character of the man, his professed attachment to Spanish manners, the inflexible bigotry of his principles—all these circumstances increased their terror; and when he departed the Netherlands, with a known intention never to return, the disgust of the inhabitants was extremely augmented, and their dread of those tyrannical orders which their sovereign, surrounded with Spanish ministers, would issue from his cabinet at Madrid. He left the Duchess of Parma governess of the Low Countries; and the plain good sense and good temper of that princess, had she been intrusted with the sole power, would have preserved the submission of those opulent provinces, which were lost from that refinement of treacherous and barbarous politics on which Philip so highly valued himself. The Flemings found that the name alone of regent remained with the duchess; that Cardinal Granville entirely possessed the king's confidence; that attempts were every day made on their liberties; that a resolution was taken never more to assemble the states; that new bishoprics were arbitrarily erected in order to enforce the execution of the persecuting edicts; and that, on the whole, they must expect to be reduced to the condition of a province under the Spanish monarchy. The discontents of the nobility gave countenance to the complaints of the gentry, which encouraged the mutiny of the populace; and all orders of men showed a strong disposition to revolt. Associations were formed, tumultuary petitions presented, names of distinction assumed, badges of party displayed; and the current of the people, impelled by religious zeal and irritated by feeble resistance, rose to such a height that in several towns, particularly in Antwerp, they made an open invasion on the established worship, pillaged the churches and monasteries, broke the images, and committed the most unwarrantable disorders.

The wiser part of the nobility, particularly the Prince of Orange and the Counts Egmont and Horn, were alarmed at these excesses, to which their own discontents had at first given countenance; and seconding the wisdom of the governess, they suppressed the dangerous insurrections, punished the ringleaders, and reduced all the provinces to a state of order and submission. But Philip was not con-

tented with the re-establishment of his ancient authority; he considered that provinces so remote from the seat of government could not be ruled by a limited prerogative; and that a prince who must entreat rather than command would necessarily, when he resided not among the people, feel every day a diminution of his power and influence. He determined, therefore, to lay hold of the popular disorders as a pretence for entirely abolishing the privileges of the Low Country provinces, and for ruling them thenceforth with a military and arbitrary authority.

In the execution of this violent design he employed a man who was a proper instrument in the hands of such a tyrant. Ferdinand of Toledo, Duke of Alva, had been educated amidst arms; and having obtained a consummate knowledge in the military art, his habits led him to transfer into all government the severe discipline of a camp, and to conceive no measures between prince and subject but those of rigid command and implicit obedience. This general, in 1568, conducted from Italy to the Low Countries a powerful body of veteran Spaniards; and his avowed animosity to the Flemings, with his known character, struck that whole people with terror and consternation. It belongs not to our subject to relate at length those violences which Alva's natural barbarity, steeled by reflection and aggravated by insolence, exercised on those flourishing provinces. It suffices to say that all their privileges, the gift of so many princes and the inheritance of so many ages, were openly and expressly abolished by edict; arbitrary and sanguinary tribunals erected; the Counts Egmont and Horn, in spite of their great merits and past services, brought to the scaffold; multitudes of all ranks thrown into confinement, and thence delivered over to the executioner; and, notwithstanding the peaceable submission of all men, nothing was heard of but confiscation, imprisonment, exile, torture, and death.

Elizabeth was equally displeased to see the progress of that scheme laid for the extermination of the Protestants, and to observe the erection of so great a military power in a state situated in so near a neighborhood. She gave protection to all the Flemish exiles who took shelter in her dominions; and as many of these were the most industrious inhabitants of the Netherlands, and had rendered that country celebrated for its arts, she reaped the advantage of introducing into England some useful manufactures which

were formerly unknown in that kingdom. Foreseeing that the violent government of Alva could not long subsist without exciting some commotion, she ventured to commit an insult upon him which she would have been cautious not to hazard against a more established authority. Some Genoese merchants had engaged, by contract with Philip, to transport into Flanders the sum of four hundred thousand crowns; and the vessels on which this money was embarked had been attacked in the channel by some privateers equipped by the French Huguenots, and had taken shelter in Plymouth and Southampton. The commanders of the ships pretended that the money belonged to the King of Spain; but the queen, finding upon inquiry that it was the property of Genoese merchants, took possession of it as a loan, and by that means deprived the Duke of Alva of this resource in the time of his greatest necessity. Alva, in revenge, seized all the English merchants in the Low Countries, threw them into prison, and confiscated their effects. The queen retaliated by a like violence on the Flemish and Spanish merchants, and gave all the English liberty to make reprisals on the subjects of Philip.

These differences were afterwards accommodated by treaty, and mutual reparations were made to the merchants; but nothing could repair the loss which so well-timed a blow inflicted on the Spanish government in the Low Countries. Alva, in want of money, and dreading the immediate mutiny of his troops, to whom great arrears were due, imposed by his arbitrary will the most ruinous taxes on the people. He not only required the hundredth penny and the twentieth of all immovable goods, he also demanded the tenth of all movable goods on every sale—an absurd tyranny, which would not only have destroyed all arts and commerce, but even have restrained the common intercourse of life. The people refused compliance; the duke had recourse to his usual expedient of the gibbet; and thus matters came still nearer the last extremities between the Flemings and the Spaniards.<sup>91</sup>

All the enemies of Elizabeth, in order to revenge themselves for her insults, had naturally recourse to one policy, the supporting of the cause and pretensions of the Queen of Scots; and Alva, whose measures were ever violent, soon opened a secret intercourse with that princess. There was one Rodolphi, a Florentine merchant, who had resided

<sup>91</sup> Bentivoglio, part 1, lib. 5. Camden, p. 416.

about fifteen years in London, and who, while he conducted his commerce in England, had managed all the correspondence of the court of Rome with the Catholic nobility and gentry.<sup>92</sup> He had been thrown into prison at the time when the Duke of Norfolk's intrigues with Mary had been discovered; but either no proof was found against him or the part which he had acted was not very criminal, and he soon after recovered his liberty. This man, zealous for the Catholic faith, had formed a scheme, in concert with the Spanish ambassador, for subverting the government by a foreign invasion and a domestic insurrection; and when he communicated his project, by letter, to Mary, he found that, as she was now fully convinced of Elizabeth's artifices, and despaired of ever recovering her authority, or even her liberty, by pacific measures, she willingly gave her concurrence. The great number of discontented Catholics were the chief source of their hopes on the side of England; and they also observed that the kingdom was, at that time, full of indigent gentry, chiefly younger brothers, who, having at present, by the late decay of the church and the yet languishing state of commerce, no prospect of a livelihood suitable to their birth, were ready to throw themselves into any desperate enterprise.<sup>93</sup> But in order to inspire life and courage into all these malcontents, it was requisite that some great nobleman should put himself at their head; and no one appeared to Rodolphi, and to the Bishop of Ross, who entered into all these intrigues, so proper, both on account of his power and his popularity, as the Duke of Norfolk.

This nobleman, when released from confinement in the Tower, had given his promise that he would drop all intercourse with the Queen of Scots;<sup>94</sup> but finding that he had lost, and, as he feared, beyond recovery, the confidence and favor of Elizabeth, and being still, in some degree, restrained from his liberty, he was tempted, by impatience and despair, to violate his word, and to open anew his correspondence with the captive princess.<sup>95</sup> A promise of marriage was renewed between them; the duke engaged to enter into all her interests; and as his remorse gradually diminished in the course of these transactions, he was pushed to give his consent to enterprises still more criminal. Rodolphi's plan was that the Duke of Alva should, on some other pretence,

<sup>92</sup> Lesley, p. 123. State Trials, vol. i. p. 87

<sup>93</sup> Lesley, p. 123.

<sup>94</sup> Haynes, p. 571.

<sup>95</sup> State Trials, vol. i. p. 102.



assemble a great quantity of shipping in the Low Countries; should transport a body of six thousand foot and four thousand horse into England; should land them at Harwich, where the Duke of Norfolk was to join them with all his friends; should thence march directly to London, and oblige the queen to submit to whatever terms the conspirators should please to impose upon her.<sup>96</sup> Norfolk expressed his assent to this plan; and three letters, in consequence of it, were written in his name by Rodolphi, one to Alva, another to the pope, and a third to the king of Spain; but the duke, apprehensive of the danger, refused to sign them.<sup>97</sup> He only sent to the Spanish ambassador a servant and confidant, named Barker, as well to notify his concurrence in the plan as to vouch for the authenticity of these letters; and Rodolphi, having obtained a letter of credence from the ambassador, proceeded on his journey to Brussels and to Rome. The Duke of Alva and the pope embraced the scheme with alacrity, Rodolphi informed Norfolk of their intentions,<sup>98</sup> and everything seemed to concur in forwarding the undertaking.

Norfolk, notwithstanding these criminal enterprises, had never entirely forgotten his duty to his sovereign, his country, and his religion; and though he had laid the plan both of an invasion and an insurrection, he still flattered himself that the innocence of his intentions would justify the violence of his measures, and that, as he aimed at nothing but the liberty of the Queen of Scots and the obtaining of Elizabeth's consent to his marriage, he could not justly reproach himself as a rebel and a traitor.<sup>99</sup> It is certain, however, that, considering the queen's vigor and spirit, the scheme, if successful, must finally have ended in dethroning her; and her authority was here exposed to the utmost danger.

The conspiracy hitherto had entirely escaped the vigilance of Elizabeth and that of Secretary Cecil, who now bore the title of Lord Burleigh. It was from another attempt of Norfolk's that they first obtained a hint, which, being diligently traced, led at last to a full discovery. Mary had intended to send a sum of money to Lord Herreis and her partisans in Scotland; and Norfolk undertook to have it delivered to Bannister, a servant of his, at that time in the

<sup>96</sup> Lesley, p. 155. State Trials, vol. i. pp. 86, 87.

<sup>97</sup> Lesley, pp. 159, 161. Camden, p. 432.

<sup>98</sup> State Trials, vol. i. p. 93.

<sup>99</sup> Lesley, p. 158.

north, who was to find some expedient for conveying it to Lord Herreis.<sup>100</sup> He intrusted the money to a servant who was not in the secret, and told him that the bag contained a sum of money in silver, which he was to deliver to Bannister with a letter; but the servant, conjecturing, from the weight and size of the bag, that it was full of gold, carried the letter to Burleigh, who immediately ordered Bannister, Barker, and Hicford, the duke's secretary, to be put under arrest, and to undergo a severe examination. Torture made them confess the whole truth; and as Hicford, though ordered to burn all papers, had carefully kept them concealed under the mats of the duke's chamber and under the tiles of the house, full evidence now appeared against his master.<sup>101</sup> Norfolk himself, who was entirely ignorant of the discoveries made by his servants, was brought before the council; and though exhorted to atone for his guilt by a full confession, he persisted in denying every crime with which he was charged. The queen always declared that if he had given her this proof of his sincere repentance, she would have pardoned all his former offences;<sup>102</sup> but finding him obstinate, she committed him to the Tower, and ordered him to be brought to his trial. The Bishop of Ross had, on some suspicion, been committed to custody before the discovery of Norfolk's guilt, and every expedient was employed to make him reveal his share in the conspiracy. He at first insisted on his privilege; but he was told that, as his mistress was no longer a sovereign, he would not be regarded as an ambassador, and that, even if that character were allowed, it did not warrant him in conspiring against the sovereign at whose court he resided.<sup>103</sup> As he still refused to answer interrogatories, he was informed of the confession made by Norfolk's servants, after which he no longer scrupled to make a full discovery; and his evidence put the guilt of that nobleman beyond all question. [1572.] A jury of twenty-five peers unanimously passed sentence upon him. The trial was quite regular, even according to the strict rules observed at present in these matters, except that the witnesses gave not their evidence in court, and were not confronted with the prisoner—a laudable practice, which was not at that time observed in trials for high treason.

<sup>100</sup> Lesley, p. 169. State Trials, vol. i. p. 87. Camden, p. 434. Digges, pp. 134, 137, 140. Strype, vol. ii. p. 82.

<sup>101</sup> Lesley, p. 173.

<sup>102</sup> Lesley, p. 175.

<sup>103</sup> Lesley, p. 189. Spotswood.

The queen still hesitated concerning Norfolk's execution, whether that she was really moved by friendship and compassion towards a peer of that rank and merit, or that, affecting the praise of clemency, she only put on the appearance of these sentiments. Twice she signed a warrant for his execution, and twice revoked the fatal sentence;<sup>104</sup> and though her ministers and councillors pushed her to rigor, she still appeared irresolute and undetermined. After four months' hesitation, a Parliament was assembled, and the Commons addressed her, in strong terms, for the execution of the duke—a sanction which, when added to the greatness and certainty of his guilt, would, she thought, justify, in the eyes of all mankind, her severity against that nobleman. Norfolk died with calmness and constancy; and though he cleared himself of any disloyal intentions against the queen's authority, he acknowledged the justice of the sentence by which he suffered.<sup>105</sup> That we may relate together affairs of a similar nature, we shall mention that the Earl of Northumberland, being delivered up to the queen by the Regent of Scotland, was also, a few months after, brought to the scaffold for his rebellion.

The Queen of Scots was either the occasion or the cause of all these disturbances; but as she was a sovereign princess, and might reasonably, from the harsh treatment which she had met with, think herself entitled to use any expedient for her relief, Elizabeth durst not, as yet, form any resolution of proceeding to extremities against her. She only sent Lord Delawar, Sir Ralph Sadler, Sir Thomas Bromley, and Dr. Wilson to expostulate with her, and to demand satisfaction for all those parts of her conduct which, from the beginning of her life, had given displeasure to Elizabeth: her assuming the arms of England, refusing to ratify the treaty of Edinburgh, intending to marry Norfolk without the queen's consent, concurring in the northern rebellion,<sup>106</sup> practising with Rodolphi to engage the King of Spain in an invasion of England,<sup>107</sup> procuring the pope's bull of excommunication, and allowing her friends abroad to give her the title of queen of England. Mary justified herself from the several articles of the charge, either by denying the facts imputed to her by throwing the blame on

<sup>104</sup> Carte, p. 527, from Fenelon's Despatches. Digges, p. 166. Strype, vol. ii. p. 83.

<sup>105</sup> Camden, p. 440. Strype, vol. ii. App. p. 23.

<sup>106</sup> Digges, pp. 16, 107. Strype, vol. ii. pp. 51, 52.

<sup>107</sup> Digges, pp. 194, 208, 209. Strype, vol. ii. pp. 40, 51.

others.<sup>108</sup> But the queen was little satisfied with her apology, and the Parliament was so enraged against her that the Commons made a direct application for her immediate trial and execution. They employed some topics derived from practice and reason and the laws of nations; but the chief stress was laid on passages and examples from the Old Testament,<sup>109</sup> which, if considered as a general rule of conduct (an intention which it is unreasonable to suppose), would lead to consequences destructive of all principles of humanity and morality. Matters were here carried farther than Elizabeth intended; and that princess, satisfied with showing Mary the disposition of the nation, sent to the House her express commands not to deal any farther at present in the affair of the Scottish queen.<sup>110</sup> Nothing could be a stronger proof that the puritanical interest prevailed in the House than the intemperate use of authorities derived from Scripture, especially from the Old Testament; and the queen was so little a lover of that sect that she was not likely to make any concession merely in deference to their solicitation. She showed, this session, her disapprobation of their schemes in another remarkable instance. The Commons had passed two bills for regulating ecclesiastical ceremonies; but she sent them a like imperious message with her former ones, and by the terror of her prerogative she stopped all farther proceeding in those matters.<sup>111</sup>

But though Elizabeth would not carry matters to such extremities against Mary as were recommended by the Parliament, she was alarmed at the great interest and the restless spirit of that princess, as well as her close connections with Spain; and she thought it necessary both to increase the rigor and strictness of her confinement, and to follow maxims different from those which she had hitherto pursued in her management of Scotland.<sup>112</sup> That kingdom remained still in a state of anarchy. The castle of Edinburgh, commanded by Kirkaldy of Grange, had declared for Mary; and the lords of that party, encouraged by his countenance, had taken possession of the capital and carried on a vigorous war against the regent. By a sudden and unexpected inroad, they seized that nobleman at Stirling; but finding that his friends, sallying from the castle, were likely to rescue him, they instantly put him to death. The Earl of Marre was chosen regent in his room, and found the same

<sup>108</sup> Camden, p. 442. <sup>109</sup> D'Ewes, pp. 207, 208, &c.

<sup>111</sup> D'Ewes, pp. 213, 238.

<sup>110</sup> D'Ewes, pp. 219, 241.

<sup>112</sup> Digges, p. 152.



difficulties in the government of that divided country. He was therefore glad to accept of the mediation offered by the French and English ambassadors, and to conclude on equal terms a truce with the queen's party.<sup>113</sup> He was a man of a free and generous spirit, and scorned to submit to any dependence on England; and for this reason Elizabeth, who had then formed intimate connections with France, yielded with less reluctance to the solicitations of that court, still maintained the appearance of neutrality between the parties, and allowed matters to remain on a balance in Scotland.<sup>114</sup> But affairs soon after took a new turn: Marre died of melancholy, with which the distracted state of the country affected him; Morton was chosen regent; and as this nobleman had secretly taken all his measures with Elizabeth, who no longer relied on the friendship of the French court, she resolved to exert herself more effectually for the support of the party which she had always favored. She sent Sir Henry Killigrew ambassador to Scotland, who found Mary's partisans so discouraged by the discovery and punishment of Norfolk's conspiracy that they were glad to submit to the king's authority and accept of an indemnity for all past offences.<sup>115</sup> The Duke of Chatelrault and the Earl of Huntley, with the most considerable of Mary's friends, laid down their arms on these conditions. The garrison alone of the castle of Edinburgh continued refractory. Kirkaldy's fortunes were desperate; and he flattered himself with the hopes of receiving assistance from the Kings of France and Spain, who encouraged his obstinacy, in the view of being able, from that quarter, to give disturbance to England. Elizabeth was alarmed with the danger: she no more apprehended making an entire breach with the Queen of Scots, who, she found, would not any longer be amused by her artifices; she had an implicit reliance on Morton; and she saw that, by the submission of all the considerable nobility, the pacification of Scotland would be an easy as well as a most important undertaking. She ordered, therefore, Sir William Drury, governor of Berwick, to march with some troops and artillery to Edinburgh, and to besiege the castle.<sup>116</sup> The garrison surrendered at discretion; Kirkaldy was delivered into the hands of his countrymen, by whom he was tried, condemned and executed; Secretary Lidington, who had taken part with him, died soon after a voluntary

<sup>113</sup> Spotswood, p. 263.

<sup>115</sup> Spotswood, p. 268.

<sup>114</sup> Digges, pp. 156, 165, 16

<sup>116</sup> Camden, p. 449.

death, as is supposed ; and Scotland, submitting entirely to the regent, gave not, during a long time, any farther inquietude to Elizabeth.

The events which happened in France were not so agreeable to the queen's interests and inclinations. The fallacious pacifications which had been so often made with the Huguenots gave them reason to suspect the present intentions of the court ; and after all the other leaders of that party were deceived into a dangerous credulity, the sagacious admiral still remained doubtful and uncertain. But his suspicions were at last overcome, partly by the profound dissimulation of Charles, partly by his own earnest desire to end the miseries of France and return again to the performance of his duty towards his prince and country. He considered, besides, that, as the former violent conduct of the court had ever met with such fatal success, it was not unlikely that a prince who had newly come to years of discretion, and appeared not to be riveted in any dangerous animosities or prejudices, would be induced to govern himself by more moderate maxims. And as Charles was young, of a passionate, hasty temper, and addicted to pleasure,<sup>117</sup> such deep perfidy seemed either remote from his character or difficult, and almost impossible, to be so uniformly supported by him. Moved by these considerations, the admiral, the Queen of Navarre, and all the Huguenots began to repose themselves in full security, and gave credit to the treacherous caresses and professions of the French court. Elizabeth herself, notwithstanding her great experience and penetration, entertained not the least distrust of Charles's sincerity ; and being pleased to find her enemies of the house of Guise removed from all authority, and to observe an animosity every day growing between the French and Spanish monarchs, she concluded a defensive league with the former,<sup>118</sup> and regarded this alliance as an invincible barrier to her throne. Walsingham, her ambassador, sent her over, by every courier, the most satisfactory accounts of the honor, and plain-dealing, and fidelity of that perfidious prince.

The better to blind the jealous Huguenots, and draw their leaders into the snare prepared for them, Charles offered his sister Margaret in marriage to the Prince of Navarre ; and the admiral, with all the considerable nobility of the party, had come to Paris in order to assist at the celebration of these nuptials, which, it was hoped, would finally,

<sup>117</sup> Digges, pp. 8, 39.

<sup>118</sup> Camden, p. 443.

if not compose the differences, at least appease the bloody animosity of the two religions. The queen of Navarre was poisoned by orders from the court; the admiral was dangerously wounded by an assassin; yet Charles, redoubling his dissimulation, was still able to retain the Huguenots in their security; till, on the evening of St. Bartholomew, a few days after the marriage, the signal was given for a general massacre of those religionists, and the king himself in person led the way to these assassinations. The hatred long entertained by the Parisians against the Protestants made them second, without any preparation, the fury of the court; and persons of every condition, age, and sex suspected of any propensity to that religion were involved in an undistinguished ruin. The admiral, his son-in-law Teligni, Soubize, Rochefoucalt, Pardaillon, Piles, Lavardin, men who, during the late wars, had signalized themselves by the most heroic actions, were miserably butchered, without resistance; the streets of Paris flowed with blood; and the people, more enraged than satiated with their cruelty, as if repining that death had saved the victims from farther insult, exercised on their dead bodies all the rage of the most licentious brutality. About five hundred gentlemen and men of rank perished in this massacre, and near ten thousand of inferior condition.<sup>119</sup> Orders were instantly despatched to all the provinces for a like general execution of the Protestants; and in Rouën, Lyons, and many other cities the people emulated the fury of the capital. Even the murder of the king of Navarre and the Prince of Condé had been proposed by the Duke of Guise; but Charles, softened by the amiable manners of the King of Navarre, and hoping that these young princes might easily be converted to the Catholic faith, determined to spare their lives, though he obliged them to purchase their safety by a seeming change of their religion.

Charles, in order to cover this barbarous perfidy, pretended that a conspiracy of the Huguenots to seize his person had been suddenly detected, and that he had been necessitated, for his own defence, to proceed to this severity against them. He sent orders to Fenelon, his ambassador in England, to ask an audience, and to give Elizabeth this account of the late transaction. That minister, a man of probity, abhorred the treachery and cruelty of his court, and even scrupled not to declare that he was now ashamed to

<sup>119</sup> Davila, lib. 5.

bear the name of Frenchman ;<sup>120</sup> yet he was obliged to obey his orders, and make use of the apology which had been prescribed to him. He met with that reception from all the courtiers which he knew the conduct of his master had so well merited. Nothing could be more awful and affecting than the solemnity of his audience. A melancholy sorrow sat on every face ; silence, as in the dead of night, reigned through all the chambers of the royal apartment ; the courtiers and ladies, clad in deep mourning, were ranged on each side, and allowed him to pass, without affording him one salute or favorable look, till he was admitted to the queen herself.<sup>121</sup> That princess received him with a more easy, if not a more gracious, countenance, and heard his apology without discovering any visible symptoms of indignation. She then told him that though, on the first rumor of this dreadful intelligence, she had been astonished that so many brave men and loyal subjects, who rested secure on the faith of their sovereign, should have been suddenly butchered in so barbarous a manner, she had hitherto suspended her judgment till farther and more certain information should be brought her ; that the account which he had given, even if founded on no mistake or bad information, though it might alleviate, would by no means remove, the blame of the king's counsellors, or justify the strange irregularity of their proceedings ; that the same force which, without resistance, had massacred so many defenceless men, could easily have secured their persons, and have reserved them for a trial, and for punishment by a legal sentence, which would have distinguished the innocent from the guilty ; that the admiral, in particular, being dangerously wounded, and environed by the guards of the king, on whose protection he seemed entirely to rely, had no means of escape, and might surely, before his death, have been convicted of the crimes imputed to him ; that it was more worthy of a sovereign to reserve in his own hands the sword of justice than to commit it to bloody murderers, who, being the declared and mortal enemies of the persons accused, employed it without mercy and without distinction ; that if these sentiments were just, even supposing the conspiracy of the Protestants to be real, how much more so if that crime was a calumny of their enemies, invented for their destruction ! that if, upon inquiry, the innocence of these unhappy victims should afterwards appear, it was the king's duty to turn his ven-

<sup>120</sup> Digges, p. 247.

<sup>121</sup> Carte, vol. iii. p. 522, from Fenelon's Despatches.



geance on their defamers, who had thus cruelly abused his confidence, had murdered so many of his brave subjects, and had done what in them lay to cover him with everlasting dishonor; and that, for her part, she should form her judgment of his intentions by his subsequent conduct, and in the mean time should act as desired by the ambassador, and rather pity than blame his master for the extremities to which he had been carried.<sup>122</sup>

Elizabeth was fully sensible of the dangerous situation in which she now stood. In the massacre of Paris she saw the result of that general conspiracy formed for the extermination of the Protestants; and she knew that she herself, as the head and protectress of the new religion, was exposed to the utmost fury and resentment of the Catholics. The violence and cruelty of the Spaniards in the Low Countries was another branch of the same conspiracy; and as Charles and Philip, two princes nearly allied in perfidy and barbarity as well as in bigotry, had now laid aside their pretended quarrel, and had avowed the most entire friendship,<sup>123</sup> she had reason, as soon as they had appeased their domestic commotions, to dread the effects of their united counsels. The Duke of Guise also and his family, whom Charles, in order to deceive the admiral, had hitherto kept at a distance, had now acquired an open and entire ascendant in the court of France; and she was sensible that these princes, from personal as well as political reasons, were her declared and implacable enemies. The Queen of Scots, their near relation and close confederate, was the pretender to her throne; and though detained in custody, was actuated by a restless spirit, and, besides her foreign allies, possessed numerous and zealous partisans in the heart of the kingdom. For these reasons Elizabeth thought it more prudent not to reject all commerce with the French monarch, but still to listen to the professions of friendship which he made her. She allowed even the negotiations to be renewed for her marriage with the Duke of Alençon, Charles's third brother:<sup>124</sup> those with the Duke of Anjou had already been broken off. She sent the Earl of Worcester to assist in her name at the baptism of a young princess born to Charles; but before she agreed to give him this last mark of condescension, she thought it becoming her dignity to renew her expressions of blame, and even of detestation, against the

<sup>122</sup> Digges, pp. 247, 248.

<sup>124</sup> Digges, *passim*. Camden, p. 447.

<sup>123</sup> Digges, pp. 268, 282.

cruelties exercised on his Protestant subjects.<sup>125</sup> Meanwhile, she prepared herself for that attack which seemed to threaten her from the combined power and violence of the Romanists: she fortified Portsmouth, put her fleet in order, exercised her militia, cultivated popularity with her subjects, acted with vigor for the farther reduction of Scotland under obedience to the young king, and renewed her alliance with the German princes, who were no less alarmed than herself at these treacherous and sanguinary measures so universally embraced by the Catholics.

But though Elizabeth cautiously avoided coming to extremities with Charles, the greatest security that she possessed against his violence was derived from the difficulties which the obstinate resistance of the Huguenots still created to him. Such of that sect as lived near the frontiers immediately, on the first news of the massacres, fled into England, Germany, or Switzerland, where they excited the compassion and indignation of the Protestants, and prepared themselves, with increased forces and redoubled zeal, to return into France and avenge the treacherous slaughter of their brethren. [1573.] Those who lived in the middle of the kingdom took shelter in the nearest garrisons occupied by the Huguenots; and, finding that they could repose no faith in capitulations and expect no clemency, were determined to defend themselves to the last extremity. The sect, which Charles had hoped, at one blow, to exterminate, had now an army of eighteen thousand men on foot, and possessed, in different parts of the kingdom, above a hundred cities, castles, or fortresses;<sup>126</sup> nor could that prince deem himself secure from the invasion threatened him by all the other Protestants in Europe. The nobility and gentry of England were roused to such a pitch of resentment that they offered to levy an army of twenty thousand foot and four thousand horse, to transport them into France, and to maintain them six months at their own charge; but Elizabeth, who was cautious in her measures, and who feared to inflame farther the quarrel between the two religions by these dangerous crusades, refused her consent, and moderated the zeal of her subjects.<sup>127</sup> The German princes, less politic, or more secure from the resentment of France, forwarded the levies made by the Protestants; and the young Prince of Condé, having escaped from court, put himself at the head of these

<sup>125</sup> Digges, pp. 297, 298. Camden, p. 447.

<sup>127</sup> Digges, pp. 335, 341.

<sup>126</sup> Digges, p. 343.

troops, and prepared to invade the kingdom. The Duke of Alençon, the King of Navarre, the family of Montmorenci, and many considerable men even among the Catholics, displeased, either on a private or public account, with the measures of the court, favored the progress of the Huguenots, and every thing relapsed into confusion. [1574.] The king, instead of repenting his violent counsels, which had brought matters to such extremities, called aloud for new violences; <sup>128</sup> nor could even the mortal distemper under which he labored moderate the rage and animosity by which he was actuated. He died without male issue, at the age of twenty-five years; a prince whose character, containing that unusual mixture of dissimulation and ferocity, of quick resentment and unrelenting vengeance, executed the greatest mischiefs, and threatened still worse, both to his native country and to all Europe.

Henry, Duke of Anjou, who had some time before been elected King of Poland, no sooner heard of his brother's death than he hastened to take possession of the throne of France; and found the kingdom not only involved in the greatest present disorders, but exposed to infirmities for which it was extremely difficult to provide any suitable remedy. The people were divided into two theological factions, furious from their zeal, and mutually enraged from the injuries which they had committed or suffered; and as all faith had been violated, and moderation vanished, it seemed impracticable to find any terms of composition between them. Each party had devoted itself to leaders whose commands had more authority than the will of the sovereign; and even the Catholic, to whom the king was attached, were entirely conducted by the counsels of Guise and his family. The religious connections had, on both sides, superseded the civil; or rather (for men will always be guided by present interest), two empires being secretly formed in the kingdom, every individual was engaged by new views of interest, to follow those leaders to whom, during the course of past convulsions, he had been indebted for his honors and preferment.

Henry, observing the low condition of the crown, had laid a scheme for restoring his own authority by acting as umpire between the parties, by moderating their differences, and by reducing both to a dependence upon himself. He possessed all the talents of dissimulation requisite for

<sup>128</sup> Davila, lib. 5.

the execution of this delicate plan ; but being deficient in vigor, application, and sound judgment, instead of acquiring a superiority over both factions, he lost the confidence of both, and taught the partisans of each to adhere still more closely to their particular leaders, whom they found more cordial and sincere in the cause which they espoused. The Huguenots were strengthened by the accession of a German army, under the Prince of Condé and Prince Casimir ; [1576.] but much more by the credit and personal virtues of the King of Navarre, who, having fled from court, had placed himself at the head of that formidable party. Henry, in prosecution of his plan, entered into a composition with them ; and being desirous of preserving a balance between the sects, he granted them peace on the most advantageous conditions. This was the fifth general peace made with the Huguenots ; but though it was no more sincere on the part of the court than any of the former, it gave the highest disgust to the Catholics, and afforded the Duke of Guise the desired pretence of declaiming against the measures, and maxims, and conduct of the king.

That artful and bold leader took thence an occasion of reducing his party into a more formed and regular body ; and he laid the first foundations of the famous LEAGUE, which, without paying any regard to the royal authority, aimed at the entire suppression of the Huguenots. Such was the unhappy condition of France, from the past severities and violent conduct of its princes, that toleration could no longer be admitted ; and a concession for liberty of conscience, which would probably have appeased the reformers, excited the greatest resentment in the Catholics. [1577.] Henry, in order to divert the force of the league from himself, and even to elude its efforts against the Huguenots, declared himself the head of that seditious confederacy, and took the field as leader of the Romanists. But his dilatory and feeble measures betrayed his reluctance to the undertaking ; and after some unsuccessful attempts, he concluded a new peace, which, though less favorable than the former to the Protestants, gave no contentment to the Catholics. Mutual diffidence still prevailed between the parties ; the king's moderation was suspicious to both : each faction continued to fortify itself against that breach which they foresaw must speedily ensue ; theological controversy daily whetted the animosity of the sects ; and every private injury became the ground of a public quarrel.



The king, hoping by his artifice and subtlety to allure the nation into a love of pleasure and repose, was himself caught in the snare; [1578.] and sinking into a dissolute indolence, wholly lost the esteem, and in a great measure the affections, of his people. Instead of advancing such men of character and abilities as were neutral between these dangerous factions, he gave all his confidence to young agreeable favorites, who, unable to prop his falling authority, leaned entirely upon it, and inflamed the general odium against his administration. The public burdens, increased by his profuse liberality, and felt more heavy on a disordered kingdom, became another ground of complaint; and the uncontrolled animosity of parties joined to the multiplicity of taxes, rendered peace more calamitous than any open state of foreign or even domestic hostility. The artifices of the king were too refined to succeed, and too frequent to be concealed; and the plain, direct, and avowed conduct of the Duke of Guise on one side, and that of the King of Navarre on the other, drew, by degrees, the generality of the nation to devote themselves, without reserve, to one or the other of those great leaders.

The civil commotions of France were of too general importance to be overlooked by the other princes of Europe; and Elizabeth's foresight and vigilance, though somewhat restrained by her frugality, led her to take secretly some part in them. Besides employing on all occasions her good offices in favor of the Huguenots, she had expended no inconsiderable sums in levying that army of Germans which the Prince of Condé and Prince Casimir conducted into France; <sup>129</sup> and notwithstanding her negotiations with the court and her professions of amity, she always considered her own interests as connected with the prosperity of the French Protestants and the depression of the house of Guise. Philip, on the other hand, had declared himself protector of the league, had entered into the closest correspondence with Guise, and had employed all his authority in supporting the credit of that factious leader. This sympathy of religion, which of itself begat a connection of interests, was one considerable inducement; but that monarch had also in view the subduing of his rebellious subjects in the Netherlands, who, as they received great encouragement from the French Protestants, would, he hoped, finally

<sup>129</sup> Camden, p. 452.

despair of success, after the entire suppression of their friends and confederates.

The same political views which engaged Elizabeth to support the Huguenots would have led her to assist the distressed Protestants in the Low Countries; but the mighty power of Philip, the tranquillity of all his other dominions, and the great force which he maintained in these mutinous provinces, kept her in awe, and obliged her, notwithstanding all temptations and all provocations, to preserve some terms of amity with that monarch. The Spanish ambassador represented to her that many of the Flemish exiles who infested the seas, and preyed on his master's subjects, were received into the harbors of England, and were there allowed to dispose of their prizes; and by these remonstrances the queen found herself under a necessity of denying them all entrance into her dominions. But this measure proved, in the issue, extremely prejudicial to the interests of Philip. These desperate exiles, finding no longer any possibility of subsistence, were forced to attempt the most perilous enterprises; and they made an assault on the Brille, a seaport town in Holland, where they met with success, and, after a short resistance, became masters of the place.<sup>130</sup> The Duke of Alva was alarmed at the danger; and stopping those bloody executions which he was making on the defenceless Flemings, he hastened with his army to extinguish the flame which, falling on materials so well prepared for combustion, seemed to menace a general conflagration. His fears soon appeared to be well grounded. The people in the neighborhood of the Brille, enraged by that complication of cruelty, oppression, insolence, usurpation, and persecution under which they and all their countrymen labored, flew to arms; and in a few days almost the whole province of Holland and that of Zealand had revolted from the Spaniards, and had openly declared against the tyranny of Alva. This event happened in the year 1572.

William, Prince of Orange, descended from a sovereign family of great lustre and antiquity in Germany, inheriting the possessions of a sovereign family in France, had fixed his residence in the Low Countries, and on account of his noble birth and immense riches, as well as of his personal merit, was universally regarded as the greatest subject that lived in those provinces. He had opposed, by all regular and dutiful means, the progress of the Spanish usurpations; and

when Alva conducted his army into the Netherlands, and assumed the government, this prince, well acquainted with the violent character of the man and the tyrannical spirit of the court of Madrid, wisely fled from the danger which threatened him, and retired to his paternal estate and dominions in Germany. He was cited to appear before Alva's tribunal, was condemned in absence, was declared a rebel, and his ample possessions in the Low Countries were confiscated. In revenge, he had levied an army of Protestants in the empire, and had made some attempts to restore the Flemings to liberty; but was still repulsed with loss by the vigilance and military conduct of Alva, and by the great bravery, as well as discipline, of those veteran Spaniards who served under that general.

The revolt of Holland and Zealand, provinces which the Prince of Orange had formerly commanded, and where he was much beloved, called him anew from his retreat; and he added conduct no less than spirit to that obstinate resistance which was here made to the Spanish dominion. By uniting the revolted cities in a league, he laid the foundation of that illustrious commonwealth, the offspring of industry and liberty, whose arms and policy have long made so signal a figure in every transaction of Europe. He inflamed the inhabitants by every motive which religious zeal, resentment, or love of freedom could inspire. Though the present greatness of the Spanish monarchy might deprive them of all courage, he still flattered them with the concurrence of the other provinces, and with assistance from neighboring states; and he exhorted them, in defence of their religion, their liberties, their lives, to endure the utmost extremities of war. From this spirit proceeded the desperate defence of Harlem—a defence which nothing but the most consuming famine could overcome, and which the Spaniards revenged by the execution of more than two thousand of the inhabitants.<sup>131</sup> This extreme severity, instead of striking terror into the Hollanders, animated them by despair; and the vigorous resistance made at Alcmaer, where Alva was finally repulsed, showed them that their insolent enemies were not invincible. The duke, finding, at last, the pernicious effects of his violent counsels, solicited to be recalled: Medina-celi, who was appointed his successor, refused to accept the government; Requesens, commendator of Castile, was sent from Italy to replace Alva; and this

<sup>131</sup> Bentivoglio, lib. 7.

tyrant departed from the Netherlands in 1574, leaving his name in execration to the inhabitants, and boasting, in his turn, that during the course of five years he had delivered above eighteen thousand of these rebellious heretics into the hands of the executioner.<sup>132</sup>

Requesens, though a man of milder dispositions, could not appease the violent hatred which the revolted Hollanders had conceived against the Spanish government, and the war continued as obstinate as ever. In the siege of Leyden, undertaken by the Spaniards, the Dutch opened the dykes and sluices in order to drive them from the enterprise; and the very peasants were active in ruining their fields by an inundation rather than fall again under the hated tyranny of Spain. But notwithstanding this repulse, the governor still pursued the war; and the conquest seemed too unequal between so mighty a monarchy and two small provinces, however fortified by nature, and however defended by the desperate resolution of the inhabitants. The Prince of Orange, therefore, in 1575 was resolved to sue for foreign succor, and to make applications to one or other of his great neighbors, Henry or Elizabeth. The court of France was not exempt from the same spirit of tyranny and persecution which prevailed among the Spaniards; and that kingdom, torn by domestic dissensions, seemed not to enjoy, at present, either leisure or ability to pay regard to foreign interests. But England, long connected, both by commerce and alliance, with the Netherlands, and now more concerned in the fate of the revolted provinces by sympathy in religion, seemed naturally interested in their defence; and as Elizabeth had justly entertained great jealousy of Philip, and governed her kingdom in perfect tranquillity, hopes were entertained that her policy, her ambition, or her generosity would engage her to support them under their present calamities. They sent, therefore, a solemn embassy to London, consisting of St. Aldegonde, Douza, Nivelles, Buys, and Melsen; and after employing the most humble supplications to the queen, they offered her the possession and sovereignty of their provinces, if she would exert her power in their defence.

There were many strong motives which might impel Elizabeth to accept of so liberal an offer. She was apprised of the injuries which Philip had done her by his intrigues with the malcontents in England and Ireland;<sup>133</sup> she fore-

<sup>132</sup> Grotius, lib. 2.

<sup>133</sup> Digges, p. 73.



saw the danger which she must incur from a total prevalence of the Catholics in the Low Countries; and the maritime situation of those provinces, as well as their command over the great rivers, was an inviting circumstance to a nation like the English, who were beginning to cultivate commerce and naval power. But this princess, though magnanimous, had never entertained the ambition of making conquests or gaining new acquisitions; and the whole purpose of her vigilant and active politics was to maintain, by the most frugal and cautious expedients, the tranquillity of her own dominions. An open war with the Spanish monarchy was the apparent consequence of her accepting the dominion of these provinces; and after taking the inhabitants under her protection, she could never afterwards in honor abandon them, but, however desperate their defence might become, she must embrace it, even farther than her convenience or interests would permit. For these reasons, she refused, in positive terms, the sovereignty proffered her, but told the ambassadors that, in return for the good-will which the Prince of Orange and the states had shown her, she would endeavor to mediate an agreement for them, on the most reasonable terms that could be obtained.<sup>134</sup> She sent accordingly Sir Henry Cobham to Philip, and represented to him the danger which he would incur of losing entirely the Low Countries if France could obtain the least interval from her intense disorders, and find leisure to offer her protection to those mutinous and discontented provinces. Philip seemed to take this remonstrance in good part; but no accord ensued, and war in the Netherlands continued with the same rage and violence as before.

It was an accident that delivered the Hollanders from their present desperate situation. Requesens, the governor, dying suddenly, the Spanish troops, discontented for want of pay, and licentious for want of a proper authority to command them, broke into a furious mutiny, and threw everything into confusion. They sacked and pillaged the cities of Maestricht and Antwerp, and executed great slaughter on the inhabitants; they threatened the other cities with a like fate; and all the provinces, excepting Luxembourg, united for mutual defence against their violence, and called in the Prince of Orange and the Hollanders as their protectors. A treaty, commonly called the Pacification of Ghent, was formed by common agreement; and

<sup>134</sup> Camden, pp. 453, 454.

the removal of foreign troops, with the restoration of their ancient liberties, was the object which the provinces mutually stipulated to pursue. Don John of Austria, natural brother to Philip, being appointed governor, found, on his arrival at Luxembourg, that the states had so fortified themselves, and that the Spanish troops were so divided by their situation, that there was no possibility of resistance; and he agreed to the terms required of him. The Spaniards evacuated the country, and these provinces seemed at last to breathe a little from their calamities.

But it was not easy to settle an entire peace while the thirst of revenge and dominion governed the King of Spain, and while the Flemings were so strongly agitated with resentment of past and fear of future injuries. The ambition of Don John, who coveted this great theatre for his military talents, engaged him rather to inflame than appease the quarrel; and as he found the states determined to impose very strict limitations on his authority, he broke all articles, seized Namur, and procured the recall of the Spanish army from Italy. This prince, endowed with a lofty genius, and elated by the prosperous successes of his youth, had opened his mind to vast undertakings; and, looking much beyond the conquest of the revolted provinces, had projected to espouse the Queen of Scots, and to acquire in her right the dominion of the British kingdoms.<sup>135</sup> Elizabeth was aware of his intentions; and seeing now, from the union of all the provinces, a fair prospect of their making a long and vigorous defence against Spain, she no longer scrupled to embrace the protection of their liberties, which seemed so intimately connected with her own safety. After sending them a sum of money, about twenty thousand pounds, for the immediate pay of their troops, she concluded a treaty with them, in which she stipulated to assist them with five thousand foot and a thousand horse, at the charge of the Flemings, and to lend them a hundred thousand pounds on receiving the bonds of some of the most considerable towns of the Netherlands, for her repayment within the year. It was farther agreed that the commander of the English army should be admitted into the council of the states, and nothing be determined concerning war or peace without previously informing the queen or him of it; that they should enter into no league without her consent; that if any discord arose among themselves, it should be referred

<sup>135</sup> Camden, p. 466. Grotius, lib. 3.

to her arbitration ; and that if any prince, on any pretext, should attempt hostilities against her, they should send to her assistance an army equal to that which she had employed in their defence. This alliance was signed on the 6th of January, 1578.<sup>136</sup>

One considerable inducement to the queen for entering into treaty with the states was to prevent their throwing themselves into the arms of France ; and she was desirous to make the King of Spain believe that it was her sole motive. She represented to him, by her ambassador, Thomas Wilkes, that hitherto she had religiously acted the part of a good neighbor and ally ; had refused the sovereignty of Holland and Zealand, when offered her ; had advised the Prince of Orange to submit to the king ; and had even accompanied her counsel with menaces, in case of his refusal. She persevered, she said, in the same friendly intentions ; and, as a proof of it, would venture to interpose with her advice for the composure of the present differences : let Don John, whom she could not but regard as her mortal enemy, be recalled ; let some other prince more popular be substituted in his room ; let the Spanish armies be withdrawn ; let the Flemings be restored to their ancient liberties and privileges ; and if, after these concessions, they were still obstinate not to return to their duty, she promised to join her arms with those of the King of Spain, and force them to compliance. Philip dissembled his resentment against the queen, and still continued to supply Don John with money and troops. That prince, though once repulsed at Rimenant by the valor of the English under Norris, and though opposed as well by the army of the states as by Prince Casimir, who had conducted to the Low Countries a great body of Germans, paid by the queen, gained a great advantage over the Flemings at Gemblours ; but was cut off in the midst of his prosperity by poison, given him secretly, as was suspected, by orders from Philip, who dreaded his ambition. The Prince of Parma succeeded to the command ; who, uniting valor and clemency, negotiation and military exploits, made great progress against the revolted Flemings, and advanced the progress of the Spaniards by his arts as well as by his arms.

During these years, while Europe was almost everywhere in great commotion, England enjoyed a profound tranquillity, owing chiefly to the prudence and vigor of the queen's administration, and to the wise precautions which

<sup>136</sup> Camden, p. 466.

she employed in all her measures. By supporting the zealous Protestants in Scotland, she had twice given them the superiority over their antagonists, had closely connected their interests with her own, and had procured herself entire security from that quarter whence the most dangerous invasions could be made upon her. She saw in France her enemies, the Guises, though extremely powerful, yet counterbalanced by the Huguenots, her zealous partisans, and even hated by the king, who was jealous of their restless and exorbitant ambition. The bigotry of Philip gave her just ground of anxiety; but the same bigotry had happily excited the most obstinate opposition among his own subjects, and had created him enemies whom his arms and policy were not likely soon to subdue. The Queen of Scots, her antagonist and rival, and the pretender to her throne, was a prisoner in her hands; and by her impatience and high spirit had been engaged in practices which afforded the queen a pretence for rendering her confinement more rigorous, and for cutting off her communication with her partisans in England.

Religion was the capital point, on which depended all the political transactions of that age; and the queen's conduct in this particular, making allowance for the prevailing prejudices of the times, could scarcely be accused of severity or imprudence. She established no inquisition into men's bosoms; she imposed no oath of supremacy, except on those who received trust or emolument from the public; and though the exercise of every religion but the established was prohibited by statute, the violation of this law, by saying mass and receiving the sacrament in private houses, was, in many instances, connived at;<sup>137</sup> while, on the other hand, the Catholics, in the beginning of her reign, showed little reluctance against going to church or frequenting the ordinary duties of public worship. The pope, sensible that this practice would by degrees reconcile all his partisans to the reformed religion, hastened the publication of the bull which excommunicated the queen and freed her subjects from their oaths of allegiance; and great pains were taken by the emissaries of Rome to render the breach between the two religions as wide as possible, and to make the frequenting of Protestant churches appear highly criminal in the Catholics.<sup>138</sup> These practices, with the rebellion which ensued,

<sup>137</sup> Camden, p. 459.

<sup>138</sup> Walsingham's Letter in Burnet, vol. ii. p. 418. Cabala, p. 406.



increased the vigilance and severity of the government; but the Romanists, if their condition were compared with that of the nonconformists in other countries, and with their own maxims where they domineered, could not justly complain of violence or persecution.

The queen appeared rather more anxious to keep a strict hand over the Puritans, who, though their pretensions were not so immediately dangerous to her authority, seemed to be actuated by a more unreasonable obstinacy, and to retain claims, of which, both in civil and ecclesiastical matters, it was, as yet, difficult to discern the full scope and intention. Some secret attempts of that sect to establish a separate congregation and discipline had been carefully repressed in the beginning of this reign;<sup>139</sup> and when any of the established clergy discovered a tendency to their principles, by omitting the legal habits or ceremonies, the queen had shown a determined resolution to punish them by fines and deprivation;<sup>140</sup> though her orders to that purpose had been frequently eluded by the secret protection which these sectaries received from some of her most considerable courtiers.

But what chiefly tended to gain Elizabeth the hearts of her subjects was her frugality, which, though carried sometimes to an extreme, led her not to amass treasures, but only to prevent impositions upon her people, who were at that time very little accustomed to bear the burdens of government. By means of her rigid economy, she paid all the debts which she found on the crown, with their full interest; though some of these debts had been contracted even during the reign of her father.<sup>141</sup> Some loans, which she had exacted at the commencement of her reign, were repaid by her—a practice in that age somewhat unusual;<sup>142</sup> and she had established her credit on such a footing that no sovereign in Europe could more readily command any sum which the public exigencies might at any time require.<sup>143</sup> During this peaceable and uniform government England furnishes few materials for history; and except the small part which Elizabeth took in foreign transactions, there scarcely passed any occurrence which requires a particular detail.

The most memorable event in this period was a session

<sup>139</sup> Strype's *Life of Parker*, p. 342. Strype's *Life of Grindal*, p. 315.

<sup>140</sup> Heylin, pp. 165, 166.

<sup>142</sup> D'Ewes, p. 246.

<sup>141</sup> D'Ewes, p. 245. Camden, p. 446.

<sup>143</sup> D'Ewes, p. 245.

of Parliament, held on the 8th of February, 1576; where debates were started, which may appear somewhat curious and singular. Peter Wentworth, a Puritan, who had signalized himself in former Parliaments by his free and undaunted spirit, opened this session with a premeditated harangue, which drew on him the indignation of the House, and gave great offence to the queen and the ministers. As it seems to contain a rude sketch of those principles of liberty which happily gained afterwards the ascendant in England, it may not be improper to give, in a few words, the substance of it. He premised that the name of liberty is sweet, but the thing itself is precious beyond the most inestimable treasure; and that it behooved them to be careful, lest, contenting themselves with the sweetness of the name, they forego the substance, and abandon what of all earthly possessions was of the highest value to the kingdom. He then proceeded to observe that freedom of speech in that House, a privilege so useful both to sovereign and subjects, had been formerly infringed in many essential articles, and was at present exposed to the most imminent danger; that it was usual, when any subject of importance was handled, especially if it regarded religion, to surmise that these topics were disagreeable to the queen, and that the farther proceeding in them would draw down her indignation upon their temerity; that Solomon had justly affirmed the king's displeasure to be a messenger of death; and it was no wonder if men, even though urged by motives of conscience and duty, should be inclined to stop short when they found themselves exposed to so severe a penalty; that, by the employing this argument, the House was incapacitated from serving their country, and even from serving the queen herself, whose ears, besieged by pernicious flatterers, were thereby rendered inaccessible to the most salutary truths; that it was a mockery to call an assembly of Parliament, yet deny it that privilege which was so essential to its being, and without which it must degenerate into an abject school of servility and dissimulation; that as the Parliament was the great guardian of the laws, they ought to have liberty to discharge their trust, and to maintain that authority whence even kings themselves derive their being; that a king was constituted such by law, and though he was not dependent on man, yet was he subordinate to God and the law, and was obliged to make their prescriptions, not his own will, the rule of his conduct; that even his commission,

as God's vicegerent, enforced, instead of loosening, this obligation, since he was thereby invested with authority to execute on earth the will of God, which is nothing but law and justice; that though these surmises of displeasing the queen by their proceedings had impeached, in a very essential point, all freedom of speech, a privilege granted them by a special law, yet was there a more express and more dangerous invasion made on their liberties by frequent messages from the throne; that it had become a practice, when the House was entering on any question, either ecclesiastical or civil, to bring an order from the queen inhibiting them absolutely from treating of such matters, and debarring them from all farther discussion of these momentous articles; that the prelates, emboldened by her royal protection, had assumed a decisive power in all questions of religion, and required that every one should implicitly submit his faith to their arbitrary determinations; that the love which he bore his sovereign forbade him to be silent under such abuses, or to sacrifice, on this important occasion, his duty to servile flattery and complaisance; and that, as no earthly creature was exempt from fault, so neither was the queen herself, but, in imposing this servitude on her faithful Commons, she had committed a great and even dangerous fault against herself and the whole commonwealth.<sup>144</sup>

It is easy to observe from this speech that, in this dawn of liberty, the parliamentary style was still crude and unformed, and that the proper decorum of attacking ministers and counsellors, without interesting the honor of the crown or mentioning the person of the sovereign, was not yet entirely established. The Commons expressed great displeasure at this unusual license: they sequestered Wentworth from the House, and committed him prisoner to the sergeant-at-arms. They even ordered him to be examined by a committee, consisting of all those members who were also members of the privy council, and a report to be next day made to the House. This committee met in the star-chamber, and, wearing the aspect of that arbitrary court, summoned Wentworth to appear before them and answer for his behavior. But though the Commons had discovered so little delicacy or precaution in thus confounding their own authority with that of the star-chamber, Wentworth better understood the principles of liberty, and refused to give these counsellors any account of his conduct in Parliament,

<sup>144</sup> D'Ewes, pp. 236, 237, &c.

till he were satisfied that they acted, not as members of the privy council, but as a committee of the House.<sup>145</sup> He justified his liberty of speech by pleading the rigor and hardship of the queen's messages; and notwithstanding that the committee showed him, by instances in other reigns, that the practice of sending such messages was not unprecedented, he would not agree to express any sorrow or repentance. The issue of the affair was that, after a month's confinement, the queen sent to the Commons, informing them that, from her special grace and favor, she had restored him to his liberty and to his place in the house.<sup>146</sup> By this seeming lenity, she indirectly retained the power which she had assumed of imprisoning the members, and obliging them to answer before her for their conduct in Parliament. And Sir Walter Mildmay endeavored to make the House sensible of her majesty's goodness in so gently remitting the indignation which she might justly conceive at the temerity of their member; but he informed them that they had not the liberty of speaking what and of whom they pleased; and that indiscreet freedoms used in that House had, both in the present and foregoing ages, met with a proper chastisement. He warned them, therefore, not to abuse farther the queen's clemency, lest she be constrained, contrary to her inclination, to turn an unsuccessful lenity into a necessary severity.<sup>147</sup>

The behavior of the two Houses was, in every other respect, equally tame and submissive. Instead of a bill, which was at first introduced,<sup>148</sup> for the reformation of the church, they were contented to present a petition to her majesty for that purpose; and when she told them that she would give orders to her bishops to amend all abuses, and if they were negligent, she would herself, by her supreme power and authority over the church, give such redress as would entirely satisfy the nation, the Parliament willingly acquiesced in this sovereign and peremptory decision.<sup>149</sup>

Though the Commons showed so little spirit in opposing the authority of the crown, they maintained, this session, their dignity against an encroachment of the Peers, and would not agree to a conference, which, they thought, was demanded of them in an irregular manner. They acknowledged, however, with all humbleness (such is their expression) the superiority of the Lords; they only refused to give that House any reason for their proceedings, and asserted

<sup>145</sup> D'Ewes, p. 241.<sup>148</sup> D'Ewes, p. 252.<sup>146</sup> D'Ewes, p. 244.<sup>149</sup> D'Ewes, p. 257.<sup>147</sup> D'Ewes, p. 259.



that where they altered a bill sent them by the Peers, it belonged to them to desire a conference, not to the Upper House to require it.<sup>150</sup>

The Commons granted an aid of one subsidy and two fifteenths. Mildmay, in order to satisfy the House concerning the reasonableness of this grant, entered into a detail of the queen's past expenses in supporting the government, and of the increasing charges of the crown, from the daily increase in the price of all commodities. He did not, however, forget to admonish them that they were to regard this detail as the pure effect of the queen's condescension, since she was not bound to give them any account how she employed her treasure.<sup>151</sup>

<sup>150</sup> D'Ewes, p. 263.

<sup>151</sup> D'Ewes, p. 246.

## CHAPTER XII.

## ELIZABETH.

AFFAIRS OF SCOTLAND.—SPANISH AFFAIRS.—SIR FRANCIS DRAKE.—A PARLIAMENT.—NEGOTIATIONS OF MARRIAGE WITH THE DUKE OF ANJOU.—AFFAIRS OF SCOTLAND.—LETTER OF QUEEN MARY TO ELIZABETH.—CONSPIRACIES IN ENGLAND.—A PARLIAMENT.—THE ECCLESIASTICAL COMMISSION.—AFFAIRS OF THE LOW COUNTRIES.—HOSTILITIES WITH SPAIN.

[1580.] THE greatest and most absolute security that Elizabeth enjoyed during her whole reign never exempted therefrom vigilance and attention ; but the scene began now to be more overcast, and dangers gradually multiplied on her from more than one quarter.

The Earl of Morton had hitherto retained Scotland in strict alliance with the queen, and had also restored domestic tranquillity to that kingdom. But it was not to be expected that the factitious and legal authority of a regent would long maintain itself in a country unacquainted with law and order, where even the natural dominion of hereditary princes so often met with opposition and control. The nobility began anew to break into factions ; the people were disgusted with some instances of Morton's avarice ; and the clergy, who complained of further encroachments on their narrow revenue, joined and increased the discontent of the other orders. The regent was sensible of his dangerous situation ; and, having dropped some peevish expressions as if he were willing or desirous to resign, the noblemen of the opposite party, favorites of the young king, laid hold of this concession, and required that demission which he seemed so frankly to offer them. James was at this time but eleven years of age ; yet Morton, having secured himself, as he imagined, by a general pardon, resigned his authority into the hands of the king, who pretended to conduct, in his own name, the administration of the kingdom. The regent retired from the government, and seemed to employ himself

entirely in the care of his domestic affairs; but, either tired with this tranquillity, which appeared insipid after the agitations of ambition, or thinking it time to throw off dissimulation, he came again to court; acquired an ascendant in the council; and, though he resumed not the title of regent, governed with the same authority as before. The opposite party, after holding separate conventions, took to arms on pretence of delivering their prince from captivity, and restoring him to the free exercise of his government. Queen Elizabeth interposed by her ambassador, Sir Robert Bowes, and mediated an agreement between the factions. Morton kept possession of the government; but his enemies were numerous and vigilant, and his authority seemed to become every day more precarious.

The Count d'Aubigney, of the house of Lenox, cousin-german to the king's father, had been born and educated in France; and being a young man of good address and a sweet disposition, he appeared to the Duke of Guise a proper instrument for detaching James from the English interest, and connecting him with his mother and her relations. He no sooner appeared at Stirling, where James resided, than he acquired the affections of the young monarch; and, joining his interest with those of James Stuart, of the house of Ochiltree, a man of profligate manners, who had acquired the king's favor, he employed himself, under the appearance of play and amusement, in instilling into the tender mind of the prince new sentiments of politics and government. He represented to him the injustice which had been done to Mary in her deposition, and made him entertain thoughts either of resigning the crown into her hands, or of associating her with him in the administration.<sup>1</sup> Elizabeth, alarmed at the danger which might ensue from the prevalence of this interest in Scotland, sent anew Sir Robert Bowes to Stirling; and, accusing D'Aubigney, now created Earl of Lenox, of an attachment to the French, warned James against entertaining such suspicious and dangerous connections.<sup>2</sup> The king excused himself by Sir Alexander Hume, his ambassador; and Lenox, finding that the queen had openly declared against him, was further confirmed in his intention of overturning the English interest, and particularly of ruining Morton, who was regarded as the head of it. That nobleman was arrested in council, accused as an accomplice in the late king's murder, committed to prison, brought to trial,

<sup>1</sup> Digges, pp. 412, 428. Melvil, p. 130.

<sup>2</sup> Spotswood, p. 309.

and condemned to suffer as a traitor. He confessed that Bothwell had communicated to him the design, had pleaded Mary's consent, and had desired his concurrence; but he denied that he himself had ever expressed any approbation of the crime, and, in excuse for his concealing it, he alleged the danger of revealing the secret, either to Henry, who had no resolution nor constancy, or to Mary, who appeared to be an accomplice in the murder.<sup>3</sup> Sir Thomas Randolph was sent by the queen to intercede in favor of Morton; and that ambassador, not content with discharging this duty of his function, engaged by his persuasion, the Earls of Argyle, Montrose, Angus, Marre, and Glencairne to enter into a confederacy for protecting, even by force of arms, the life of the prisoner. The more to overawe that nobleman's enemies, Elizabeth ordered forces to be assembled on the borders of England; but this expedient served only to hasten his sentence and execution.<sup>4</sup> Morton died with that constancy and resolution which had attended him through all the various events of his life, and left a reputation which was less disputed with regard to abilities than probity and virtue. But this conclusion of the scene happened not till the subsequent year.

Elizabeth was, during this period, extremely anxious on account of every revolution in Scotland, both because that country alone, not being separated from England by sea, and bordering on all the Catholic and malcontent counties, afforded her enemies a safe and easy method of attacking her; and because she was sensible that Mary, thinking herself abandoned by the French monarch, had been engaged by the Guises to have recourse to the powerful protection of Philip, who, though he had not yet come to an open rupture with the queen, was every day, both by the injuries which he committed and suffered, more exasperated against her. That he might retaliate the assistance which she gave to his rebels in the Low Countries, he had sent, under the name of the pope,<sup>5</sup> a body of seven hundred Spaniards and Italians into Ireland; where the inhabitants, always turbulent and discontented with the English government, were now more alienated by religious prejudices, and were ready to join every invader. The Spanish general, San Josepho, built a fort in Kerry; and being there besieged by the Earl of Ormond, president of Munster, who was soon after joined

<sup>3</sup> Spotswood, p. 314. Crawford, p. 333. Moyse's Memoirs, p. 54.

<sup>4</sup> Spotswood, p. 312.

<sup>5</sup> Digges, pp. 359, 370.



by Lord Gray, the deputy, he made a weak and cowardly defence. After some assaults, feebly sustained, he surrendered at discretion; and Gray, who commanded but a small force, finding himself encumbered with so many prisoners, put all the Spaniards and Italians to the sword without mercy, and hanged about fifteen hundred of the Irish, a cruelty which gave great displeasure to Elizabeth.<sup>6</sup>

When the English ambassador made complaints of this invasion, he was answered by like complaints of the piracies committed by Francis Drake, a bold seaman, who had assaulted the Spaniards in the place where they deemed themselves most secure, in the New World. This man, sprung from mean parents in the county of Devon, having acquired considerable riches by depredations made in the Isthmus of Panama, and having there gotten a sight of the Pacific Ocean, was so stimulated by ambition and avarice that he scrupled not to employ his whole fortune in a new adventure through those seas, so much unknown at that time to all the European nations.<sup>7</sup> By means of Sir Christopher Hatton, then vice-chamberlain, a great favorite of the queen's, he obtained her consent and approbation; and he set sail from Plymouth in 1577, with four ships and a pinnace, on board of which were one hundred and sixty-four able sailors.<sup>8</sup> He passed into the South Sea by the Straits of Magellan, and attacking the Spaniards, who expected no enemy in those quarters, he took many rich prizes, and prepared to return with the booty which he had acquired. Apprehensive of being intercepted by the enemy if he took the same way homewards by which he had reached the Pacific Ocean, he attempted to find a passage by the north of California, and, failing in that enterprise, he set sail for the East Indies, and returned safely this year by the Cape of Good Hope. He was the first Englishman who sailed round the globe, and the first commander-in-chief; for Magellan, whose ship executed the same adventure, died in his passage. His name became celebrated on account of so bold and fortunate an attempt; but many, apprehending the resentment of the Spaniards, endeavored to persuade the queen that it would be more prudent to disavow the enterprise, to punish Drake, and to restore the treasure. But Elizabeth, who admired valor, and was allured by the prospect of sharing in

<sup>6</sup> Camden, p. 475. Cox's Hist. of Ireland, p. 368.

<sup>7</sup> Camden, p. 478. Stowe, p. 689.

<sup>8</sup> Camden, p. 478. Hakluyt's Voyages, vol. iii. pp. 730, 748. Purchas's Pilgrim vol. i. p. 46.

the booty, determined to countenance that gallant sailor. She conferred on him the honor of knighthood, and accepted of a banquet from him at Deptford on board the ship which had achieved so memorable a voyage. When Philip's ambassador, Mendoza, exclaimed against Drake's piracies, she told him that the Spaniards, by arrogating a right to the whole New World, and excluding thence all other European nations who should sail thither, even with a view of exercising the most lawful commerce, naturally tempted others to make a violent irruption into those countries.<sup>9</sup> To pacify, however, the Catholic monarch, she caused part of the booty to be restored to Pedro Seburá, a Spaniard, who pretended to be agent for the merchants whom Drake had spoiled. Having learned afterwards that Philip had seized the money, and had employed part of it against herself in Ireland, part of it in the pay of the Prince of Parma's troops, she determined to make no more restitutions.

There was another cause which induced the queen to take this resolution. [1581.] She was in such want of money that she was obliged to assemble a Parliament—a measure which, as she herself openly declared, she never embraced, except when constrained by the necessity of her affairs. The Parliament, besides granting her a supply of one subsidy and two fifteenths, enacted some statutes for the security of her government, chiefly against the attempts of the Catholics. Whoever, in any way, reconciled any one to the Church of Rome, or was himself reconciled, was declared to be guilty of treason; to say mass was subjected to the penalty of a year's imprisonment and a fine of two hundred marks; the being present was punishable by a year's imprisonment and a fine of one hundred marks; a fine of twenty pounds a month was imposed on every one who continued, during that time, absent from church.<sup>10</sup> To utter slanderous or seditious words against the queen was punishable, for the first offence, with the pillory and loss of ears; the second offence was declared felony. The writing or printing of such words was felony even on the first offence.<sup>11</sup> The Puritans prevailed so far as to have further application made for reformation in religion,<sup>12</sup> and Paul Wentworth, brother to the member of that name who had distinguished himself in the preceding session, moved that the Commons, from their own authority, should appoint a general fast and prayers—a motion to which the House unwarily assented. For

<sup>9</sup> Camden, p. 480. <sup>10</sup> 23 Eliz. cap. 1. <sup>11</sup> 23 Eliz. cap. 2. <sup>12</sup> D'Ewes, p. 302.

this presumption they were severely reprimanded by a message from the queen, as encroaching on the royal prerogative and supremacy, and they were obliged to submit and ask forgiveness.<sup>13</sup>

The queen and Parliament were engaged to pass these severe laws against the Catholics by some late discoveries of the treasonable practices of their priests. When the ancient worship was suppressed and the reformation introduced into the universities, the King of Spain reflected that, as some species of literature was necessary for supporting these doctrines and controversies, the Romish communion must decay in England if no means were found to give erudition to the ecclesiastics; and for this reason he founded a seminary at Douay, where the Catholics sent their children, chiefly such as were intended for the priesthood, in order to receive the rudiments of their education. The Cardinal of Lorraine imitated this example by erecting a like seminary in his diocese of Rheims; and though Rome was somewhat distant, the pope would not neglect to adorn, by a foundation of the same nature, that capital of orthodoxy. These seminaries, founded with so hostile an intention, sent over every year a colony of priests, who maintained the Catholic superstition in its full height of bigotry; and, being educated with a view to the crown of martyrdom, were not deterred, either by danger or fatigue, from maintaining and propagating their principles. They infused into all their votaries an extreme hatred against the queen, whom they treated as a usurper, a schismatic, a heretic, a persecutor of the orthodox, and one solemnly and publicly anathematized by the holy father. Sedition, rebellion, sometimes assassination, were the expedients by which they intended to effect their purposes against her; and the severe restraint, not to say persecution, under which the Catholics labored, made them the more willingly receive, from their ghostly fathers, such violent doctrines.

These seminaries were all of them under the direction of the Jesuits, a new order of regular priests erected in Europe when the court of Rome perceived that the lazy monks and beggarly friars, who sufficed in times of ignorance, were no longer able to defend the ramparts of the Church, assailed on every side, and that the inquisitive spirit of the age required a society more active and more learned to oppose its dangerous progress. These men, as they stood foremost in

<sup>13</sup> D'Ewes, pp. 284, 285.

the contest against the Protestants, drew on them the extreme animosity of that whole sect, and, by assuming a superiority over the other more numerous and more ancient orders of their own communion, were even exposed to the envy of their brethren; so that it is no wonder if the blame to which their principles and conduct might be exposed has in many instances been much exaggerated. This reproach, however, they must bear from posterity, that, by the very nature of their institution, they were engaged to pervert learning, the only effectual remedy against superstition, into a nourishment of that infirmity; and as their erudition was chiefly of the ecclesiastical and scholastic kind (though a few members have cultivated polite literature), they were only the more enabled, by that acquisition, to refine away the plainest dictates of morality, and to erect a regular system of casuistry, by which prevarication, perjury, and every crime, when it served their ghostly purposes, might be justified and defended.

The Jesuits, as devoted servants to the court of Rome, exalted the prerogative of the sovereign pontiff above all earthly power; and, by maintaining his authority of deposing kings, set no bounds either to his spiritual or temporal jurisdiction. This doctrine became so prevalent among the zealous Catholics in England that the excommunication fulminated against Elizabeth excited many scruples of a singular kind, for which it behooved the holy father to provide a remedy. The bull of Pius, in absolving the subjects from their oaths of allegiance, commanded them to resist the queen's usurpation; and many Romanists were apprehensive that by this clause they were obliged in conscience, even though no favorable opportunity offered, to rebel against her, and that no dangers or difficulties could free them from this indispensable duty. But Parsons and Campion, two Jesuits, were sent over with a mitigation and explanation of the doctrine; and they taught their disciples that, though the bull was forever binding on Elizabeth and her partisans, it did not oblige the Catholics to obedience, except when the sovereign pontiff should think proper, by a new summons, to require it.<sup>14</sup> Campion was afterwards detected in treasonable practices; and, being put to the rack and confessing his guilt, he was publicly executed. His execution was ordered at the very time when the Duke of Anjou was in England, and prosecuting, with the greatest appearance

<sup>14</sup> Camden, p. 477.



of success, his marriage with the queen; and this severity was probably intended to appease her Protestant subjects, and to satisfy them that, whatever measures she might pursue, she never would depart from the principles of the Reformation.

The Duke of Alençon, now created Duke of Anjou, had never entirely dropped his pretensions to Elizabeth; and that princess, though her suitor was near twenty-five years younger than herself, and had no knowledge of her person but by pictures or descriptions, was still pleased with the image which his addresses afforded her of love and tenderness. The duke, in order to forward his suit, besides employing his brother's ambassador, sent over Simier, an agent of his own, an artful man, of an agreeable conversation; who, soon remarking the queen's humor, amused her with gay discourse, and, instead of serious political reasonings, which, he found, only awakened her ambition and hurt his master's interest, he introduced every moment all the topics of passion and of gallantry. The pleasure which she found in this man's company soon produced a familiarity between them; and amid the greatest hurry of business, her most confidential ministers had not such ready access to her as had Simier, who, on pretence of negotiation, entertained her with accounts of the tender attachment borne her by the Duke of Anjou. The Earl of Leicester, who had never before been alarmed with any courtship paid her, and who always trusted that her love of dominion would prevail over her inclination to marriage, began to apprehend that she was at last caught in her own snare, and that the artful encouragement which she had given to this young suitor had, unawares, engaged her affections. To render Simier odious, he availed himself of the credulity of the times, and spread reports that the minister had gained an ascendant over the queen, not by any natural principles of her constitution, but by incantations and love-potions. Simier, in revenge, endeavored to discredit Leicester with the queen; and he revealed to her a secret which none of her courtiers dare disclose, that this nobleman was secretly, without her consent, married to the widow of the Earl of Essex—an action which the queen interpreted either to proceed from want of respect to her, or as a violation of their mutual attachment, and which so provoked her that she threatened to send him to the Tower.<sup>15</sup> The quarrel went so far between Leicester

<sup>15</sup> Camden, p. 471.

and the French agent that the former was suspected of having employed one Tudor, a bravo, to take away the life of his enemy; and the queen thought it necessary, by proclamation, to take Simier under her immediate protection. It happened that while Elizabeth was rowed in her barge on the Thames, attended by Simier and some of her courtiers, a shot was fired which wounded one of the bargemen; but the queen, finding, upon inquiry, that the piece had been discharged by accident, gave the person his liberty without further punishment. So far was she from entertaining any suspicion against her people that she was often heard to say "that she would lend credit to nothing against them which parents would not believe of their own children."<sup>16</sup>

The Duke of Anjou, encouraged by the accounts sent him of the queen's prepossessions in his favor, paid her secretly a visit at Greenwich; and after some conference with her, the purport of which is not known, he departed. It appeared that though his figure was not advantageous, he had lost no ground by being personally known to her; and, soon after, she commanded Burleigh (now treasurer), Sussex, Leicester, Bedford, Lincoln, Hatton, and Secretary Walsingham to concert with the French ambassadors the terms of the intended contract of marriage. Henry had sent over, on this occasion, a splendid embassy, consisting of Francis de Bourbon, Prince Dauphin, and many considerable noblemen; and as the queen had, in a manner, the power of prescribing what terms she pleased, the articles were soon settled with the English commissioners. It was agreed that the marriage should be celebrated within six weeks after the ratification of the articles; that the duke and his retinue should have the exercise of their religion; that after the marriage he should bear the title of king, but the administration remain solely in the queen; that their children, male or female, should succeed to the crown of England; that if there be two males, the elder, in case of Henry's death without issue, should be King of France, the younger of England; that if there be but one male, and he succeed to the crown of France, he should be obliged to reside in England eight months every two years; that the laws and customs of England should be preserved inviolate; and that no foreigner should be promoted by the duke to any office in England.<sup>17</sup>

These articles, providing for the security of England in

<sup>16</sup> Camden, p. 471.

<sup>17</sup> Camden, p. 484.

case of its annexation to the crown of France, opened but a dismal prospect to the English, had not the age of Elizabeth, who was now in her forty-ninth year, contributed very much to allay their apprehensions of this nature. The queen, also, as a proof of her still remaining uncertainty, added a clause that she was not bound to complete the marriage till further articles, which were not specified, should be agreed on between the parties, and till the King of France be certified of this agreement. Soon after, the queen sent over Walsingham, as ambassador to France, in order to form closer connections with Henry, and enter into a league, offensive and defensive, against the increasing power and dangerous usurpations of Spain. The French king, who had been extremely disturbed with the unquiet spirit, the restless ambition, the enterprising yet timid and inconstant disposition of Anjou, had already sought to free the kingdom from his intrigues by opening a scene for his activity in Flanders, and, having allowed him to embrace the protection of the states, had secretly supplied him with men and money for the undertaking. The prospect of settling him in England was, for a like reason, very agreeable to that monarch; and he was desirous to cultivate, by every expedient, the favorable sentiments which Elizabeth seemed to entertain towards him. But this princess, though she had gone further in her amorous<sup>18</sup> dalliance than could be justified or accounted for by any principles of policy, was not yet determined to carry matters to a final conclusion; and she confined Walsingham, in his instructions, to negotiating conditions of a mutual alliance between France and England.<sup>19</sup> Henry with reluctance submitted to hold conferences on that subject; but no sooner had Walsingham begun to settle the terms of alliance than he was informed that the queen, foreseeing hostility with Spain to be the result of this confederacy, had declared that she would prefer the marriage with the war before the war without the marriage.<sup>20</sup> The French court, pleased with this change of resolution, broke off the conferences concerning the league, and opened a negotiation for the marriage.<sup>21</sup> But matters had not long proceeded in this train before the queen again declared for the league in preference to the marriage, and ordered Walsingham to renew the conferences for that purpose. Before he had leisure to

<sup>18</sup> Digges, pp. 387, 396, 408, 426.

<sup>19</sup> Digges, p. 352.

<sup>20</sup> Digges, pp. 375, 391.

<sup>21</sup> Digges, p. 392.

bring this point to maturity, he was interrupted by a new change of resolution ;<sup>22</sup> and not only the court of France, but Walsingham himself, Burleigh, and all the wisest ministers of Elizabeth, were in amazement, doubtful where this contest between inclination and reason, love and ambition, would at last terminate.<sup>23</sup>

In the course of this affair, Elizabeth felt another variety of intentions, from a new contest between her reason and her ruling passions. The Duke of Anjou expected from her some money by which he might be enabled to open the campaign in Flanders ; and the queen herself, though her frugality made her long reluctant, was sensible that this supply was necessary ; and she was at last induced, after much hesitation, to comply with his request.<sup>24</sup> She sent him a present of a hundred thousand crowns, by which, joined to his own demesnes, and the assistance of his brother and the queen-dowager, he levied an army, and took the field against the Prince of Parma. He was successful in raising the siege of Cambray ; and being chosen by the states Governor of the Netherlands, he put his army into winter quarters, and came over to England, in order to persecute his suit to the queen. The reception which he met with made him expect entire success, and gave him hopes that Elizabeth had surmounted all scruples, and was finally determined to make choice of him for a husband. In the midst of the pomp which attended the anniversary of her coronation, she was seen, after long and intimate discourse with him, to take a ring from her own finger and to put it upon his ; and all the spectators concluded that in this ceremony she had given him a promise of marriage, and was even desirous of signifying her intentions to all the world. St. Aldegonde, ambassador from the States, despatched immediately a letter to his masters, informing them of this great event ; and the inhabitants of Antwerp, who, as well as the other Flemings, regarded the queen as a kind of tutelar divinity, testified their joy by bonfires and the discharge of their great ordnance.<sup>25</sup> A Puritan of Lincoln's-inn had written a passionate book, which he entitled " The Gulf in which England will be swallowed by the French Marriage." He was apprehended and prosecuted by order of the queen, and was condemned to lose his right hand as a libeller. Such was the

<sup>22</sup> Digges, p. 408.

<sup>23</sup> See note [BB] at the end of the volume.

<sup>24</sup> Digges, pp. 357, 387, 388, 409, 426, 439. Rymer, vol. xv. p. 793.

<sup>25</sup> Camden, p. 486. Thuan. lib. 74.



constancy and loyalty of the man that, immediately after the sentence was executed, he took off his hat with his other hand, and, waving it over his head, cried "God save the queen!"

But, notwithstanding this attachment which Elizabeth so openly discovered to the Duke of Anjou, the combat of her sentiments was not entirely over; and her ambition as well as prudence, rousing itself by intervals, still filled her breast with doubt and hesitation. Almost all the courtiers whom she trusted and favored—Leicester, Hatton and Walsingham—discovered an extreme aversion to the marriage; and the ladies of her bedchamber made no scruple of opposing her resolution with the most zealous remonstrances.<sup>26</sup> Among other enemies to the match, Sir Philip, son of Sir Henry Sidney, Deputy of Ireland and nephew to Leicester, a young man the most accomplished of the age, declared himself; and he used the freedom to write her a letter, in which he dissuaded her from her present resolution, with an unusual elegance of expression as well as force of reasoning. He told her that the security of her government depended entirely on the affections of her Protestant subjects, and she could not, by any measure, more effectually disgust them than by espousing a prince who was son of the perfidious Catherine, brother to the cruel and perfidious Charles, and who had himself imbrued his hands in the blood of the innocent and defenceless Protestants; that the Catholics were her mortal enemies, and believed either that she had originally usurped the crown or was now lawfully deposed by the pope's bull of excommunication, and nothing had ever so much elevated their hopes as the prospect of her marriage with the Duke of Anjou; that her chief security at present against the efforts of so numerous, rich and united a faction was that they possessed no head who could conduct their dangerous enterprises, and she herself was rashly supplying that defect by giving an interest in the kingdom to a prince whose education had zealously attached him to that communion; that though he was a stranger to the blood royal of England, the dispositions of men were now such that they preferred the religious to the civil connections, and were more influenced by sympathy in theological opinions than by the principles of legal and hereditary government; that the duke himself had discovered a very restless and turbulent spirit; and having often violated his loyalty to

<sup>26</sup> Camden, p. 486.

his elder brother and his sovereign, there remained no hopes that he would passively submit to a woman, whom he might, in quality of husband, think himself entitled to command; that the French nation, so populous, so much abounding in soldiers, so full of nobility, who were devoted to arms, and for some time accustomed to serve for plunder, would supply him with partisans dangerous to a people unwarlike and defenceless, like the generality of her subjects; that the plain and honorable path which she had followed, of cultivating the affections of her people, had hitherto rendered her reign secure and happy, and, however her enemies might seem to multiply upon her, the same invincible rampart was still able to protect and defend her; that so long as the throne of France was filled by Henry or his posterity, it was in vain to hope that the ties of blood would insure the amity of that kingdom preferably to the maxims of policy or the prejudices of religion, and if ever the crown devolved on the Duke of Anjou, the conjunction of France and England would prove a burden rather than a protection to the latter kingdom; that the example of her sister Mary was sufficient to instruct her in the danger of such connections, and to prove that the affection and confidence of the English could never be maintained where they had such reason to apprehend that their interests would every moment be sacrificed to those of a foreign and hostile nation; that notwithstanding these great inconveniences, discovered by past experience, the house of Burgundy, it must be confessed, was more popular in the nation than the family of France, and (what was of chief moment) Philip was of the same communion with Mary, and was connected with her by this great band of interest and affection; and that, however the queen might remain childless, even though old age should grow upon her, the singular felicity and glory of her reign would preserve her from contempt; the affections of her subjects and those of all the Protestants in Europe would defend her from danger, and her own prudence, without other aid or assistance, would baffle all the efforts of her most malignant enemies.<sup>27</sup>

These reflections kept the queen in great anxiety and irresolution, and she was observed to pass several nights without any sleep or repose. At last her settled habits of prudence and ambition prevailed over her temporary inclination; and, having sent for the Duke of Anjou, she had a

<sup>27</sup> Letters of the Sidneys, vol. i. p. 287, et seq. Cabala, p. 363.

long conference with him in private, where she was supposed to have made him apologies for breaking her former engagements. He expressed great disgust on his leaving her, threw away the ring which she had given him, and uttered many curses on the mutability of women and of islanders.<sup>28</sup> Soon after he went over to his government of the Netherlands, lost the confidence of the states by a rash and violent attempt on their liberties, was expelled that country, retired into France, and there died. The queen, by timely reflection, saved herself from the numerous mischiefs which must have attended so imprudent a marriage, and the distracted state of the French monarchy prevented her from feeling any effects of that resentment which she had reason to dread from the affront so wantonly put upon that royal family.

[1582.] The anxiety of the queen, from the attempts of the English Catholics, never ceased during the whole course of her reign; but the variety of revolutions which happened in all the neighboring kingdoms was the source, sometimes of her hopes, sometimes of her apprehensions. This year the affairs of Scotland strongly engaged her attention. The influence which the Earl of Lenox and James Stuart, who now assumed the title of Earl of Arran, had acquired over the young king, was but a slender foundation of authority, while the generality of the nobles and all the preachers were so much discontented with their administration. The assembly of the Church appointed a solemn fast, of which one of the avowed reasons was the danger to which the king was exposed from the company of wicked persons;<sup>29</sup> and on that day the pulpits resounded with declamations against Lenox, Arran, and all the present counselors. When the minds of the people were sufficiently prepared by these lectures, a conspiracy of the nobility was formed, probably with the concurrence of Elizabeth, for seizing the person of James at Ruthven, a seat of the Earl of Gowry's; and the design, being kept secret, succeeded without any opposition. The leaders in this enterprise were the Earl of Gowry himself, the Earl of Marre, the Lords Lindesey and Boyd, the Masters of Glamis and Oliphant, the Abbots of Dumfermling, Paisley, and Cambuskenneth. The king wept when he found himself detained a prisoner; but the Master of Glamis said, "No matter for his tears; better that boys weep than bearded men"—an expression

<sup>28</sup> Camden, p. 486.

<sup>29</sup> Spotswood, p. 319.

which James could never afterwards forgive.<sup>30</sup> But, notwithstanding this resentment, he found it necessary to the present necessity. He pretended an entire acquiescence in the conduct of the associators, acknowledged the detention of his person to be acceptable service, and agreed to summon both an assembly of the Church and a convention of estates in order to ratify that enterprise.

The assembly, though they had established it as an inviolable rule that the king, on no account and on no pretence, should ever intermeddle in ecclesiastical matters, made no scruple of taking civil affairs under their cognizance, and of deciding, on this occasion, that the attempt of the conspirators was acceptable to all that feared God or tendered the preservation of the king's person and prosperous state of the realm. They even enjoined all the clergy to recommend these sentiments from the pulpit, and they threatened with ecclesiastical censures every man who should oppose the authority of the confederated lords.<sup>31</sup> The convention, being composed chiefly of these lords themselves, added their sanction to these proceedings. Arran was confined a prisoner in his own house. Lenox, though he had power to resist, yet, rather than raise a civil war, or be the cause of bloodshed,<sup>32</sup> chose to retire into France, where he soon after died. He persevered to the last in the Protestant religion, to which James had converted him, but which the Scottish clergy could never be persuaded that he had sincerely embraced. The king sent for his family, restored his son to his paternal honors and estate, took care to establish the fortunes of all his other children, and to his last moments never forgot the early friendship which he had borne their father—a strong proof of the good dispositions of that prince.<sup>33</sup>

No sooner was this revolution known in England than the queen sent Sir Henry Cary and Sir Robert Bowes to James, in order to congratulate him on his deliverance from the pernicious counsels of Lenox and Arran; to exhort him not to resent the seeming violence committed on him by the confederated lords; and to procure from him permission for the return of the Earl of Angus, who, ever since Morton's fall, had lived in England. They easily prevailed in procuring the recall of Angus, and, as James suspected that Elizabeth had not been entirely unacquainted with the pro-

<sup>30</sup> Spotswood, p. 320.

<sup>32</sup> Heylin's Hist. Presbyter. p. 277. Spotswood.

<sup>31</sup> Spotswood, p. 322.

<sup>33</sup> Spotswood, p. 328.



ject of his detention, he thought proper before the English ambassadors to dissemble his resentment against the authors of it. [1583.] Soon after, La Mothe-Fénelon and Menneville appeared as ambassadors from France. Their errand was to inquire concerning the situation of the king, make professions of their master's friendship, confirm the ancient league with France, and procure an accommodation between James and the Queen of Scots. This last proposal gave great umbrage to the clergy, and the assembly voted the settling of terms between the mother and son to be a most wicked undertaking. The pulpits resounded with declamations against the French ambassadors, particularly Fénelon, whom they called the messenger of the Bloody Murderer, meaning the Duke of Guise; and as that minister, being Knight of the Holy Ghost, wore a white cross on his shoulder, they commonly denominated it, in contempt, the badge of Antichrist. The king endeavored, though in vain, to repress these insolent reflections; but in order to make the ambassadors some compensation, he desired the magistrates of Edinburgh to give them a splendid dinner before their departure. To prevent this entertainment, the clergy appointed that very day for a public fast; and, finding that their orders were not regarded, they employed their sermons in thundering curses on the magistrates, who, by the king's direction, had put this mark of respect on the ambassadors. They even pursued them afterwards with the censures of the Church; and it was with difficulty they were prevented from issuing the sentence of excommunication against them, on account of their submission to royal, preferably to clerical, authority.<sup>34</sup>

What increased their alarm with regard to an accommodation between James and Mary was, that the English ambassadors seemed to concur with the French in this proposal, and the clergy were so ignorant as to believe the sincerity of the professions made by the former. The Queen of Scots had often made overtures to Elizabeth, which had been entirely neglected; but hearing of James's detention, she wrote a letter in a more pathetic and more spirited strain than usual, craving the assistance of that princess both for her own and her son's liberty. She said that the account of the prince's captivity had excited her most tender concern; and the experience which she herself, during so many years, had of the extreme infelicity attending that situation, had made her the more apprehensive lest a like fate should pur-

<sup>34</sup> Spotswood, p. 324.

sue her unhappy offspring; that the long train of injustice which she had undergone, the calumnies to which she had been exposed were so grievous, that, finding no place for right or truth among men, she was reduced to make her last appeal to Heaven, the only competent tribunal between princes of equal jurisdiction, degree, and dignity; that after her rebellious subjects, secretly instigated by Elizabeth's ministers, had expelled her the throne, had confined her in prison, had pursued her with arms, she had voluntarily thrown herself under the protection of England, fatally allured by those reiterated professions of amity which had been made her, and by her confidence in the generosity of a friend, an ally, and a kinswoman; that, not content with excluding her from her presence, with supporting the usurpers of her throne, with contributing to the destruction of her faithful subjects, Elizabeth had reduced her to a worse captivity than that from which she had escaped, and had made her this cruel return for the unlimited confidence which she had reposed in her; that though her resentment of such severe usage had never carried her further than to use some disappointed efforts for her deliverance, unhappy for herself and fatal to others, she found the rigors of confinement daily multiplied upon her, and at length carried to such a height that it surpassed the bounds of all human patience any longer to endure them; that she was cut off from all communication, not only with the rest of mankind, but with her only son; and her maternal fondness, which was now more enlivened by their unhappy sympathy in situation, and was her sole remaining attachment to this world, deprived even of that melancholy solace which letters or messages could give; that the bitterness of her sorrows, still more than her close confinement, had preyed upon her health, and had added the insufferable weight of bodily infirmity to all those other calamities under which she labored; that while the daily experience of her maladies opened to her the comfortable prospect of an approaching deliverance into a region where pain and sorrow are no more, her enemies envied her that last consolation, and, having secluded her from every joy on earth, had done what in them lay to debar her from all hopes in her future and eternal existence; that the exercise of her religion was refused her, the use of those sacred rites in which she had been educated, the commerce with these holy ministers whom Heaven had appointed to receive the acknowledgment of our transgressions, and to

seal our penitence by a solemn readmission into heavenly favor and forgiveness ; that it was in vain to complain of the rigors of persecution exercised in other kingdoms, when a queen and an innocent woman was excluded from an indulgence which never yet, in the most barbarous countries, had been denied to the meanest and most obnoxious malefactor ; that could she ever be induced to descend from that royal dignity in which Providence had placed her, or depart from her appeal to Heaven, there was only one other tribunal to which she could appeal from all her enemies, to the justice and humanity of Elizabeth's own breast, and to that lenity which, uninfluenced by malignant counsel, she would naturally be induced to exercise towards her ; and that she finally entreated her to resume her natural disposition, and to reflect on the support, as well as comfort, which she might receive from her son and herself, if, joining the obligations of gratitude to the ties of blood, she would deign to raise them from their present melancholy situation, and reinstate them in that liberty and authority to which they were entitled.<sup>35</sup>

Elizabeth was engaged to obstruct Mary's restoration, chiefly because she foresaw an unhappy alternative attending that event. If this princess recovered any considerable share of authority in Scotland, her resentment, ambition, zeal, and connections, both domestic and foreign, might render her a dangerous neighbor to England, and enable her, after suppressing the Protestant party among her subjects, to revive those pretensions which she had formerly advanced to the crown, and which her partisans in both kingdoms still supported with great industry and assurance. If she were reinstated in power with such strict limitations as could not be broken, she might be disgusted with her situation, and, flying abroad, form more desperate attempts than any sovereign who had a crown to hazard would willingly undertake. Mary herself, sensible of these difficulties, and convinced by experience that Elizabeth would forever debar her the throne, was now become more humble in her wishes ; and as age and infirmities had repressed those sentiments of ambition by which she had formerly been so much actuated, she was willing to sacrifice all her hopes of grandeur in order to obtain a little liberty—a blessing to which she naturally aspired with the fondest impatience. She pro-

<sup>35</sup> Camden, p. 489.

posed, therefore, that she should be associated with her son in the title to the crown of Scotland, but that the administration should remain solely in him; and she was content to live in England in a private station, and even under a kind of restraint, but with some more liberty, both for exercise and company, than she had enjoyed since the first discovery of her intrigues with the Duke of Norfolk. But Elizabeth, afraid lest such a loose method of guarding her would facilitate her escape into France or Spain, or, at least, would encourage and increase her partisans, and enable her to conduct those intrigues to which she had already discovered so strong a propensity, was secretly determined to deny her requests; and though she feigned to assent to them, she well knew how to disappoint the expectations of the unhappy princess. While Lenox maintained his authority in Scotland, she never gave any reply to all the applications made to her by the Scottish queen;<sup>36</sup> at present, when her own creatures had acquired possession of the government, she was resolved to throw the odium of refusal upon them, and pretending that nothing further was required to a perfect accommodation than the concurrence of the council of state in Scotland, she ordered her ambassador, Bowes, to open the negotiations for Mary's liberty and her association with her son in the title to the crown. Though she seemed to make this concession to Mary, she refused her the liberty of sending any ambassador of her own; and that princess could easily conjecture from this circumstance what would be the result of the pretended negotiation. The privy council of Scotland, instigated by the clergy, rejected all treaty; and James, who was now a captive in their hands, affirmed that he had never agreed to an association with his mother, and that the matter had never gone farther than some loose proposals for that purpose.<sup>37</sup>

The affairs of Scotland remained not long in the present situation. James, impatient of restraint, made his escape from his keepers, and, flying to St. Andrew's, summoned his friends and partisans to attend him. The Earls of Argyll, Marshal, Montrose, and Rothes hastened to pay their duty to their sovereign; and the opposite party found themselves unable to resist so powerful a combination. They were offered a pardon upon their submission, and an

<sup>36</sup> Jebb, vol. ii. p. 510.

<sup>37</sup> MS. in the Advocates' Library, A. 3, 28, p. 401, from the Cott. Lib. Calig. c. 9.



acknowledgment of their fault in seizing the king's person, and restraining him from his liberty. Some of them accepted of the terms: the greater number, particularly Angus, Hamilton, Marre, Glamis, left the country, and took shelter in Ireland or England, where they were protected by Elizabeth. The Earl of Arran was recalled to court; and the malcontents, who could not brook the authority of Lenox, a man of virtue and moderation, found that by their resistance they had thrown all power into the hands of a person whose counsels were as violent as his manners were profligate.<sup>38</sup>

Elizabeth wrote a letter to James, in which she quoted a moral sentence from Isocrates, and indirectly reproached him with inconstancy and a breach of his engagements. James, in his reply, justified his measures, and retaliated by turning two passages of Isocrates against *her*.<sup>39</sup> She next sent Walsingham on an embassy to him; and her chief purpose in employing that aged minister in an errand where so little business was to be transacted was to learn, from a man of so much penetration and experience, the real character of James. This young prince possessed good parts, though not accompanied with that vigor and industry which his station required; and as he excelled in general discourse and conversation, Walsingham entertained a higher idea of his talents than he was afterwards found, when real business was transacted, to have fully merited.<sup>40</sup> The account which he gave his mistress induced her to treat James thenceforth with some more regard than she had hitherto been inclined to pay him.

[1584.] The King of Scots, persevering in his present views, summoned a Parliament, where it was enacted that no clergyman should presume in his sermons to utter false, untrue, or scandalous speeches against the king, the council, or the public measures, or to meddle, in an improper manner, with the affairs of his majesty and the states.<sup>41</sup> The clergy, finding that the pulpit would be no longer a sanctuary for them, were extremely offended; they said that the king was become popish in his heart; and they gave their adversaries the epithets of gross libertines, belly-gods, and infamous persons.<sup>42</sup> The violent conduct of Arran soon brought over the popularity to their side. The

<sup>38</sup> Spotswood, pp. 325, 326, et seq.

<sup>39</sup> Melvil, pp. 140, 141. Strype, vol. iii. p. 165.

<sup>40</sup> Melvil, p. 148. Jebb, vol. ii. p. 530.

<sup>41</sup> Spotswood, p. 333.

<sup>42</sup> Ibid. p. 334.

Earl of Gowry, though pardoned for the late attempt, was committed to prison, was tried on some new accusations, condemned, and executed. Many innocent persons suffered from the tyranny of this favorite; and the banished lords, being assisted by Elizabeth, now found the time favorable for the recovery of their estates and authority. After they had been foiled in one attempt upon Stirling, they prevailed in another; and being admitted to the king's presence, were pardoned and restored to his favor.

Arran was degraded from authority, deprived of that estate and title which he had usurped, and the whole country seemed to be composed to tranquillity. Elizabeth, after opposing, during some time, the credit of the favorite, had found it more expedient, before his fall, to compound all differences with him by means of Davison, a minister whom she sent to Scotland; but having more confidence in the lords whom she had helped to restore, she was pleased with this alteration of affairs, and maintained a good correspondence with the new court and ministry of James.

These revolutions in Scotland would have been regarded as of small importance to the repose and security of Elizabeth, had her own subjects been entirely united, and had not the zeal of the Catholics, excited by constraint more properly than persecution, daily threatened her with some dangerous insurrection. The vigilance of the ministers, particularly of Burleigh and Walsingham, was raised in proportion to the activity of the malcontents; and many arts which had been blamable in a more peaceful government were employed in detecting conspiracies, and even discovering the secret inclinations of men. Counterfeit letters were written in the name of the Queen of Scots, or of the English exiles, and privately conveyed to the houses of the Catholics. Spies were hired to observe the actions and discourse of suspected persons: informers were countenanced; and, though the sagacity of these two great ministers helped them to distinguish the true from the false intelligence, many calumnies were, no doubt, hearkened to, and all the subjects, particularly the Catholics, kept in the utmost anxiety and inquietude. Henry Piercy, Earl of Northumberland, brother to the earl beheaded some years before, and Philip Howard, Earl of Arundel, son of the unfortunate Duke of Norfolk, fell under suspicion; and the latter was, by order of council, confined to his own house. Francis Throgmorton, a private gentleman, was committed

to custody on account of a letter which he had written to the Queen of Scots, and which was intercepted. Lord Paget and Charles Arundel, who had been engaged with him in treasonable designs, immediately withdrew beyond sea. Throgmorton confessed that a plan for an invasion and insurrection had been laid; and though, on his trial, he was desirous of retracting this confession and imputing it to the fear of torture, he was found guilty and executed. Mendoza, the Spanish ambassador, having promoted this conspiracy, was ordered to depart the kingdom; and Wade was sent into Spain to excuse his dismissal, and to desire the king to send another ambassador in his place; but Philip would not so much as admit the English ambassador to his presence. Creighton, a Scotch Jesuit, coming over on board a vessel, which was seized, tore some papers with an intention of throwing them into the sea; but the wind blowing them back upon the ship, they were pieced together, and discovered some dangerous secrets.<sup>43</sup>

Many of these conspiracies were, with great appearance of reason, imputed to the intrigues of the Queen of Scots;<sup>44</sup> and, as her name was employed in all of them, the council thought that they could not use too many precautions against the danger of her claims and the restless activity of her temper. She was removed from under the care of the Earl of Shrewsbury, who, though vigilant and faithful in that trust, had also been indulgent to his prisoner, particularly with regard to air and exercise; and she was committed to the custody of Sir Amias Paulet and Sir Drue Drury—men of honor, but inflexible in their care and attention. An association was also set on foot by the Earl of Leicester and other courtiers; and as Elizabeth was beloved by the whole nation, except the more zealous Catholics, men of all ranks willingly flocked to the subscription of it. The purport of this association was to defend the queen, to revenge her death, or any injury committed against her, and to exclude from the throne all claimants, what title soever they might possess, by whose suggestion or for whose behoof any violence should be offered to her majesty.<sup>45</sup> The Queen of Scots was sensible that this association was levelled against her, and to remove all suspicion from herself, she also desired to subscribe it.

Elizabeth, that she might the more discourage malcon-

<sup>43</sup> Camden, p. 499.

<sup>45</sup> State Trials, vol. i. pp. 122, 123.

<sup>44</sup> Strype, vol. iii. p. 246.

tents by showing them the concurrence of the nation in her favor, summoned a new parliament, and she met with that dutiful attachment which she had expected. The association was confirmed by Parliament; and a clause was added by which the queen was empowered to name commissioners for the trial of any pretender to the crown, who should attempt or imagine any invasion, insurrection, or assassination against her. Upon condemnation, pronounced by these commissioners, the guilty person was excluded from all claim to the succession, and was further punishable as her majesty should direct. And for the greater security a council of regency, in case of the queen's violent death, was appointed to govern the kingdom, to settle the succession, and to take vengeance for that act of treason.<sup>46</sup>

A severe law was also enacted against Jesuits and popish priests. It was ordained that they should depart the kingdom within forty days; that those who should remain beyond that time, or should afterwards return, should be guilty of treason; that those who harbored or relieved them should be guilty of felony; that those who were educated in seminaries, if they returned not in six months after notice given, and submitted not themselves to the queen before a bishop, or two justices, should be guilty of treason: and that if any, so submitting themselves, should within ten years approach the court, or come within ten miles of it, their submission should be void.<sup>47</sup> By this law the exercise of the Catholic religion, which had formerly been prohibited under lighter penalties, and which was in many instances connived at, was totally suppressed. In the subsequent part of the queen's reign, the law was sometimes executed by the capital punishment of priests; and, though the partisans of that princess asserted that they were punished for their treason, not their religion, the apology must only be understood in this sense, that the law was enacted on account of the treasonable views and attempts of the sect, not that every individual who suffered the penalty of the law was convicted of treason.<sup>48</sup> The Catholics, therefore, might now with justice complain of a violent persecution, which we may safely affirm, in spite of the rigid and bigoted maxims of that age, not to be the best method of converting them, or of reconciling them to the established government and religion.

<sup>46</sup> 27 Eliz. cap. 1.

<sup>47</sup> 27 Eliz. cap. 2.

<sup>48</sup> Some even of those who defend the queen's measures allow that in ten years fifty priests were executed and fifty-five banished. Camden, p. 649.



The Parliament, besides arming the queen with these powers, granted her a supply of one subsidy and two fifteenths. The only circumstance in which their proceedings were disagreeable to her was an application made by the Commons for a further reformation in ecclesiastical matters. Yet even in this attempt, which affected her as well as them in a delicate point, they discovered how much they were overawed by her authority. The majority of the House were puritans, or inclined to that sect;<sup>49</sup> but the severe reprimands which they had already, in former sessions, met with from the throne deterred them from introducing any bill concerning religion—a proceeding which would have been interpreted as an encroachment on the prerogative. They were content to proceed by way of humble petition, and that not addressed to her majesty (which would have given offence), but to the House of Lords, or rather the bishops, who had a seat in that House, and from whom alone they were willing to receive all advances towards reformation<sup>50</sup>—a strange departure from what we now apprehend to be the dignity of the Commons.

The Commons desired, in their humble petition, that no bishop should exercise his function of ordination but with the consent and concurrence of six presbyters; but this demand, as it really introduced a change of ecclesiastical government, was firmly rejected by the prelates. They desired that no clergyman should be instituted into any benefice without previous notice being given to the parish that they might examine whether there lay any objection to his life or doctrine—an attempt towards a popular model which naturally met with the same fate. In another article of the petition they prayed that the bishops should not insist upon every ceremony, or deprive incumbents for omitting part of the service, as if uniformity in public worship had not been established by law, or as if the prelates had been endowed with a dispensing power. They complained of abuses which prevailed in pronouncing the sentence of excommunication, and they entreated the reverend fathers to think of some law for the remedy of these abuses, implying that those

<sup>49</sup> Besides the petition after-mentioned, another proof of the prevalence of the puritans among the Commons was their passing a bill for the reverent observance of Sunday, which they termed the Sabbath, and the depriving the people of those amusements which they were accustomed to take on that day.—D'Ewes, p. 335. It was a strong symptom of a contrary spirit in the Upper House that they proposed to add Wednesday to the fast-days, and to prohibit entirely the eating of flesh on that day.—D'Ewes, p. 373.

<sup>50</sup> D'Ewes, p. 357.

matters were too high for the Commons of themselves to attempt.

But the most material article which the Commons touched upon in their petition was the court of ecclesiastical commission and the oath, *ex officio*, as it was called, exacted by that court. This is a subject of such importance as to merit some explanation.

The first primate after the queen's accession was Parker, a man rigid in exacting conformity to the established worship, and in punishing by fine or deprivation all the puritanical clergymen who attempted to innovate anything in the habits, ceremonies, or liturgy of the Church. He died in 1575, and was succeeded by Grindal, who, as he himself was inclined to the new sect, was with great difficulty brought to execute the laws against them, or to punish the nonconforming clergy. He declined obeying the queen's orders for the suppression of *prophesyings*, or the assemblies of the zealots in private houses, which she apprehended had become so many academies of fanaticism; and for this offence she had, by an order of the Star-chamber, sequestered him from his archiepiscopal function, and confined him to his own house. Upon his death, which happened in 1583, she determined not to fall into the same error in her next choice; and she named Whitgift, a zealous churchman, who had already signalized his pen in controversy, and who, having in vain attempted to convince the Puritans by argument, was now resolved to open their eyes by power, and by the execution of penal statutes. He informed the queen that all the spiritual authority lodged in the prelates was insignificant without the sanction of the crown; and, as there was no ecclesiastical commission at that time in force, he engaged her to issue a new one, more arbitrary than any of the former, and conveying more unlimited authority.<sup>51</sup> She appointed forty-four commissioners, twelve of whom were ecclesiastics; three commissioners made a quorum; the jurisdiction of the court extended over the whole kingdom, and over all orders of men; and every circumstance of its authority and all its methods of proceeding were contrary to the clearest principles of law and natural equity. The commissioners were empowered to visit and reform all errors, heresies, schisms—in a word, to regulate all opinions as well as to punish all breach of uniformity in the exercise of public worship.

<sup>51</sup> Neal's History of the Puritans, vol. i. p. 410.

They were directed to make inquiry, not only by the legal method of juries and witnesses, but by all other means and ways which they could devise; that is, by the rack, by torture, by inquisition, by imprisonment. Where they found reason to suspect any person, they might administer to him an oath, called *ex officio*, by which he was bound to answer all questions, and might thereby be obliged to accuse himself or his most intimate friend. The fines which they levied were discretionary, and often occasioned the total ruin of the offender, contrary to the established laws of the kingdom. The imprisonment to which they condemned any delinquent was limited by no rule but their own pleasure. They assumed a power of imposing on the clergy what new articles of subscription, and consequently of faith, they thought proper. Though all other spiritual courts were subject, since the Reformation, to inhibitions from the supreme courts of law, the ecclesiastical commissioners were exempted from that legal jurisdiction, and were liable to no control. And the more to enlarge their authority, they were empowered to punish all incests, adulteries, fornications; all outrages, misbehaviors, and disorders in marriage; and the punishments which they might inflict were according to their wisdom, conscience, and discretion. In a word, this court was a real *inquisition*, attended with all the iniquities as well as cruelties inseparable from that tribunal. And as the jurisdiction of the ecclesiastical court was destructive of all law, so its erection was deemed by many a mere usurpation of this imperious princess, and had no other foundation than a clause of a statute restoring the supremacy to the crown, and empowering the sovereign to appoint commissioners for exercising that prerogative. But prerogative in general, especially the supremacy, was supposed in that age to involve powers which no law, precedent, or reason could limit and determine.

But though the Commons, in their humble petition to the prelates, had touched so gently and submissively on the ecclesiastical grievances, the queen, in a speech from the throne at the end of the session, could not forbear taking notice of their presumption, and reproving them for those murmurs which, for fear of offending her, they had pronounced so low as not directly to reach her royal ears. After giving them some general thanks for their attachment to her, and making professions of affection to her subjects, she told them that whoever found fault with the Church

threw a slander upon her, since she was appointed *by God* supreme ruler over it, and no heresies or schisms could prevail in the kingdom but by her permission and negligence; that some abuses must necessarily have place in everything; but she warned the prelates to be watchful, for if she found them careless of their charge, she was fully determined to depose them; that she was commonly supposed to have employed herself in many studies, particularly philosophical (by which, I suppose, she meant theological), and she would confess that few, whose leisure had not allowed them to make profession of science, had read or reflected more; that as she could discern the presumption of many in curiously canvassing the Scriptures and starting innovations, she would no longer endure this licentiousness, but meant to guide her people, by God's rule, in the just mean between the corruptions of Rome and the errors of modern sectaries; and that as the Romanists were the inveterate enemies of her person, so the other innovators were dangerous to all kingly government, and, under color of preaching the word of God, presumed to exercise their private judgment and to censure the actions of the prince.<sup>52</sup>

From the whole of this transaction we may observe that the Commons, in making their general application to the prelates as well as in some particular articles of their petition, showed themselves wholly ignorant, no less than the queen, of the principles of liberty and a legal constitution. And it may not be unworthy of remark that Elizabeth, so far from yielding to the displeasure of the Parliament against the ecclesiastical commission, granted before the end of her reign a new commission, in which she enlarged, rather than restrained, the powers of the commissioners.<sup>53</sup>

During this session of Parliament there was discovered a conspiracy which much increased the general animosity against the Catholics, and still further widened the breach between the religious parties. William Parry, a Catholic gentleman, had received the queen's pardon for a crime by which he was exposed to capital punishment; and, having obtained permission to travel, he retired to Milan and made open profession of his religion, which he had concealed while he remained in England. He was here persuaded by Palmio, a Jesuit, that he could not perform a more meritorious action than to take away the life of his sovereign

<sup>52</sup> See note [CC] at the end of the volume.

<sup>53</sup> Rymer, vol. xvi. pp. 292, 386, 400.



and his benefactress. The nuncio, Campeggio, when consulted, approved extremely of this pious undertaking; and Parry, though still agitated with doubts, came to Paris with an intention of passing over to England and executing his bloody purpose. He was here encouraged in the design by Thomas Morgan, a gentleman of great credit in the party; and, though Watts and some other Catholic priests told him that the enterprise was criminal and impious, he preferred the authority of Raggazzoni, the nuncio at Paris, and determined to persist in his resolution. He here wrote a letter to the pope, which was conveyed to Cardinal Como. He communicated his intention to the holy father, and craved his absolution and paternal benediction. He received an answer from the cardinal by which he found that his purpose was extremely applauded, and he came over to England with a full design of carrying it into execution. So deeply are the sentiments of morality engraved in the human breast that it is difficult even for the prejudices of false religion totally to efface them; and this bigoted assassin resolved, before he came to extremities, to try every other expedient for alleviating the persecutions under which the Catholics at that time labored. He found means of being introduced to the queen, assured her that many conspiracies were formed against her, and exhorted her, as she tendered her life, to give the Romanists some more indulgence in the exercise of their religion; but lest he should be tempted by the opportunity to assassinate her, he always came to court unprovided with every offensive weapon. He even found means to be elected member of Parliament, and, having made a vehement harangue against the severe laws enacted this last session, was committed to custody for his freedom and sequestered from the House. His failure in these attempts confirmed him the more in his former resolution, and he communicated his intention to Nevil, who entered zealously into the design, and was determined to have a share in the merits of its execution. A book newly published by Dr. Allen, afterwards created a cardinal, served further to efface all their scruples with regard to the murder of an heretical prince; and having agreed to shoot the queen while she should be taking the air on horseback, they resolved, if they could not make their escape, to sacrifice their lives in fulfilling a duty so agreeable, as they imagined, to the will of God and to true religion. But while they were watching an opportunity for the execution of their

purpose, the Earl of Westmoreland happened to die in exile; and as Nevil was next heir to that family, he began to entertain hopes that, by doing some acceptable service to the queen, he might recover the estate and honors which had been forfeited by the rebellion of the last earl. He betrayed the whole conspiracy to the ministers; and Parry, being thrown into prison, confessed the guilt both to them and to the jury who tried him. The letter from Cardinal Como, being produced in court, put Parry's narrative beyond all question; and that criminal, having received sentence of death,<sup>54</sup> suffered the punishment which the law appointed for his treasonable conspiracy.<sup>55</sup>

These bloody designs now appeared everywhere as the result of that bigoted spirit by which the two religions, especially the Catholic, were at this time actuated. Somerville, a gentleman of the county of Warwick, somewhat disordered in his understanding, had heard so much of the merit attending the assassination of heretics and persecutors that he came to London with a view of murdering the queen; but having betrayed his design by some extravagances, he was thrown into prison, and there perished by a voluntary death.<sup>56</sup> About the same time, Baltazar Gerard, a Burgundian, undertook and executed the same design against the Prince of Orange; and that great man perished at Delft by the hands of a desperate assassin, who, with a resolution worthy of a better cause, sacrificed his own life in order to destroy the famous restorer and protector of religious liberty. The Flemings, who regarded that prince as their father, were filled with great sorrow as well when they considered the miserable end of so brave a patriot, as their own forlorn condition from the loss of so powerful and prudent a leader, and from the rapid progress of the Spanish arms. The Prince of Parma had made every year great advances upon them, had reduced several of the provinces to obedience, and had laid close siege to Antwerp, the richest and most populous city of the Netherlands, whose subjection, it was foreseen, would give a mortal blow to the already declining affairs of the revolted provinces. [1585.] The only hopes which remained to them arose from the prospect of foreign succor. Being well acquainted with the cautious and frugal maxims of Elizabeth, they expected better success in France; and, in the view of engaging

<sup>54</sup> State Trials, vol. i. p. 103, et seq. Strype, vol. iii. p. 255 et seq.

<sup>55</sup> See note [DL] at the end of the volume.

<sup>56</sup> Camden, p. 495.

Henry to embrace their defence, they tendered him the sovereignty of their provinces. But the present condition of that monarchy obliged the king to reject so advantageous an offer. The Duke of Anjou's death, which he thought would have tended to restore public tranquillity, by delivering him from the intrigues of that prince, plunged him into the deepest distress; and the King of Navarre, a professed Huguenot, being next heir to the crown, the Duke of Guise took thence occasion to revive the Catholic League, and to urge Henry by the most violent expedients to seek the exclusion of that brave and virtuous prince. Henry himself, though a zealous Catholic, yet, because he declined complying with their precipitate measures, became an object of aversion to the league; and, as his zeal in practising all the superstitious observances of the Romish Church was accompanied with a very licentious conduct in private life, the Catholic faction, in contradiction to universal experience, embraced thence the pretext of representing his devotion as mere deceit and hypocrisy. Finding his authority to decline, he was obliged to declare war against the Huguenots, and to put arms into the hands of the league, whom, both on account of their dangerous pretensions at home and their close alliance with Philip, he secretly regarded as his most dangerous enemies. Constrained by the same policy, he dreaded the danger of associating himself with the revolted Protestants in the Low Countries, and was obliged to renounce that inviting opportunity of revenging himself for all the hostile intrigues and enterprises of Philip.

The States, reduced to this extremity, sent over a solemn embassy to London and made anew an offer to the queen of acknowledging her for their sovereign on condition of obtaining her protection and assistance. Elizabeth's wisest counsellors were divided in opinion with regard to the conduct which she should hold in this critical and important emergency. Some advised her to reject the offer of the States, and represented the imminent dangers as well as injustice attending the acceptance of it. They said that the suppression of rebellious subjects was the common cause of all sovereigns, and any encouragement given to the revolt of the Flemings might prove the example of a like pernicious license to the English; that, though princes were bound by the laws of the Supreme Being not to oppress their subjects, the people never were entitled to forget all duty to their sovereign, or transfer, from every fancy or disgust, or even

from the justest ground of complaint, their obedience to any other master; that the queen, in the succors hitherto afforded the Flemings, had considered them as laboring under oppression, not as entitled to freedom; and had intended only to admonish Philip not to persevere in his tyranny, without any view of ravishing from him those provinces which he enjoyed by hereditary right from his ancestors; that her situation in Ireland, and even in England, would afford that powerful monarch sufficient opportunity of retaliating upon her, and she must thenceforth expect that, instead of secretly fomenting faction, he would openly employ his whole force in the protection and defence of the Catholics; that the pope would undoubtedly unite his spiritual arms to the temporal ones of Spain; and that the queen would soon repent her making so precarious an acquisition in foreign countries by exposing her own dominions to the most imminent danger.<sup>57</sup>

Other counsellors of Elizabeth maintained a contrary opinion. They asserted that the queen had not, even from the beginning of her reign, but certainly had not at present, the choice whether she would embrace friendship or hostility with Philip; that, by the whole tenor of that prince's conduct, it appeared that his sole aims were the extending of his empire and the entire subjection of the Protestants under the specious pretence of maintaining the Catholic faith; that the provocations which she had already given him, joined to his general scheme of policy, would forever render him her implacable enemy, and as soon as he had subdued his revolted subjects, he would undoubtedly fall, with the whole force of his united empire, on her defenceless state; that the only question was whether she would maintain a war abroad, and supported by allies, or wait till the subjection of all the confederates of England should give her enemies leisure to begin their hostilities in the bowels of the kingdom; that the revolted provinces, though in a declining condition, possessed still considerable force, and, by the assistance of England, by the advantages of their situation, and by their inveterate antipathy to Philip, might still be enabled to maintain the contest against the Spanish monarchy; that their maritime power, united to the queen's, would give her entire security on the side from which alone she could be assaulted, and would even enable her to make inroads on Philip's dominions both in Europe

<sup>57</sup> Camden, p. 507. Bentivoglio, part ii. lib. 4.



and the Indies ; that a war which was necessary could never be unjust, and self-defence was concerned as well in preventing certain dangers at a distance as in repelling any immediate invasion ; and that, since hostility with Spain was the unavoidable consequence of the present interests and situations of the two monarchies, it were better to compensate that danger and loss by the acquisition of such important provinces to the English empire.<sup>58</sup>

Amid these opposite counsels, the queen, apprehensive of the consequences attending each extreme, was inclined to steer a middle course ; and, though such conduct is seldom prudent, she was not, in this resolution, guided by any prejudice or mistaken affection. She was determined not to permit, without opposition, the total subjection of the revolted provinces, whose interests she deemed so closely connected with her own ; but foreseeing that the acceptance of their sovereignty would oblige her to employ her whole force in their defence, would give umbrage to her neighbors, and would expose her to the reproach of ambition and usurpation (imputations which hitherto she had carefully avoided), she immediately rejected this offer. She concluded a league with the States on the following conditions : that she should send over an army to their assistance of five thousand foot and a thousand horse, and pay them during the war ; that the general, and two others whom she should appoint, should be admitted into the council of the States ; that neither party should make peace without the consent of the other ; that her expenses should be refunded after the conclusion of the war ; and that the towns of Flushing and the Brille, with the castle of Rammekins, should in the mean time be consigned into her hands by way of security.

The queen knew that this measure would immediately engage her in open hostilities with Philip ; yet was not she terrified with the view of the present greatness of that monarch. The continent of Spain was at that time rich and populous ; and the late addition of Portugal, besides securing internal tranquillity, had annexed an opulent kingdom to Philip's dominions, had made him master of many settlements in the East Indies, and of the whole commerce of those regions, and had much increased his naval power, in which he was before chiefly deficient. All the princes of Italy, even the pope and the court of Rome, were reduced to a kind of subjection under him, and seemed to possess

<sup>58</sup> Camden, p. 507. Bentivoglio, part ii. lib. 4.

their sovereignty on terms somewhat precarious. The Austrian branch in Germany, with their dependent principalities, was closely connected with him, and was ready to supply him with troops for every enterprise. All the treasures of the West Indies were in his possession; and the present scarcity of the precious metals in every country of Europe rendered the influence of his riches the more forcible and extensive. The Netherlands seemed on the point of relapsing into servitude; and small hopes were entertained of their withstanding those numerous and veteran armies which, under the command of the most experienced generals, he employed against them. Even France, which was wont to counterbalance the Austrian greatness, had lost all her force from intestine commotions; and as the Catholics, the ruling party, were closely connected with him, he rather expected thence an augmentation than a diminution of his power. Upon the whole, such prepossessions were everywhere entertained concerning the force of the Spanish monarchy, that the King of Sweden, when he heard that Elizabeth had openly embraced the defence of the revolted Flemings, scrupled not to say that she had now taken the diadem from her head, and had ventured it upon the doubtful chance of war.<sup>59</sup> Yet was this princess rather cautious than enterprising in her natural temper: she needed more to be impelled by the vigor than restrained by the prudence of her ministers; but when she saw an evident necessity, she braved danger with magnanimous courage; and trusting to her own consummate wisdom, and to the affections, however divided, of her people, she prepared herself to resist, and even to assault, the whole force of the Catholic monarch.

The Earl of Leicester was sent over to Holland at the head of the English auxiliary forces. He carried with him a splendid retinue; being accompanied by the young Earl of Essex (his son-in-law), the Lords Audley and North, Sir William Russel, Sir Thomas Shirley, Sir Arthur Basset, Sir Walter Waller, Sir Gervase Clifton, and a select troop of five hundred gentlemen. He was received, on his arrival at Flushing, by his nephew Sir Philip Sidney, the governor; and every town through which he passed expressed their joy by acclamations and triumphal arches, as if his presence and the queen's protection had brought them the most certain deliverance. The States, desirous of engaging

<sup>59</sup> Camden, p. 508.

Elizabeth still further in their defence, and knowing the interest which Leicester possessed with her, conferred on him the title of Governor and Captain-general of the United Provinces, appointed a guard to attend him, and treated him in some respects as their sovereign. But this step had a contrary effect to what they expected. The queen was displeased with the artifice of the States and the ambition of Leicester. She severely reprimanded both, and it was with some difficulty that, after many humble submissions, they were able to appease her.

America was regarded as the chief source of Philip's power, as well as the most defenceless part of his dominions; and Elizabeth, finding that an open breach with that monarch was unavoidable, resolved not to leave him unmolested in that quarter. The great success of the Spaniards and Portuguese in both Indies had excited a spirit of emulation in England; and as the progress of commerce, still more that of colonies, is slow and gradual, it was happy that a war in this critical period had opened a more flattering prospect to the avarice and ambition of the English, and had tempted them, by the view of sudden and exorbitant profit, to engage in naval enterprises. A fleet of twenty sail was equipped to attack the Spaniards in the West Indies: two thousand three hundred volunteers, besides seamen, engaged on board it; Sir Francis Drake was appointed admiral; Christopher Carlisle, commander of the land forces. [1586.] They took St. Jago, near Cape Verde, by surprise; and found in it plenty of provisions, but no riches. They sailed to Hispaniola; and, easily making themselves masters of St. Domingo by assault, obliged the inhabitants to ransom their houses by a sum of money. Carthagena fell next into their hands after some more resistance, and was treated in the same manner. They burned St. Anthony and St. Helens, two towns on the coast of Florida. Sailing along the coast of Virginia, they found the small remains of a colony which had been planted there by Sir Walter Raleigh, and which had gone extremely to decay. This was the first attempt of the English to form such settlements; and though they have since surpassed all European nations, both in the situation of their colonies, and in the noble principles of liberty and industry on which they are founded, they had here been so unsuccessful that the miserable planters abandoned their settlements, and prevailed on Drake to carry them with him to England. He

returned with so much riches as encouraged the volunteers, and with such accounts of the Spanish weakness in those countries as served extremely to inflame the spirits of the nation to future enterprises. The great mortality which the climate had produced in his fleet was, as is usual, but a feeble restraint on the avidity and sanguine hopes of young adventurers.<sup>60</sup> It is thought that Drake's fleet first introduced the use of tobacco into England.

The enterprises of Leicester were much less successful than those of Drake. This man possessed neither courage nor capacity equal to the trust reposed in him by the queen; and as he was the only bad choice she made for any considerable employment, men naturally believed that she had here been influenced by an affection still more partial than that of friendship. He gained at first some advantage in an action against the Spaniards; and threw succors into Grave, by which that place was enabled to make a vigorous defence; but the cowardice of the governor, Van Hemert, rendered all these efforts useless. He capitulated after a feeble resistance; and, being tried for his conduct, suffered a capital punishment from the sentence of a court-martial. The Prince of Parma next undertook the siege of Venlo, which was surrendered to him after some resistance. The fate of Nuys was more dismal, being taken by assault while the garrison was treating of a capitulation. Rhimberg, which was garrisoned by twelve hundred English, under the command of Colonel Morgan, was afterwards besieged by the Spaniards; Leicester, thinking himself too weak to attempt raising the siege, endeavored to draw off the Prince of Parma by forming another enterprise. He first attacked Doesburg, and succeeded: he then sat down before Zutphen, which the Spanish general thought so important a fortress that he hastened to its relief. He made the Marquis of Guasto advance with a convoy, which he intended to throw into the place. They were favored by a fog; but, falling by accident on a body of English cavalry, a furious action ensued, in which the Spaniards were worsted, and the Marquis of Gonzaga, an Italian nobleman of great reputation and family, was slain. The pursuit was stopped by the advance of the Prince of Parma with the main body of the Spanish army; and the English cavalry, on their return from the field, found their advantage more than compensated by the loss of Sir Philip Sidney, who, being mortally

<sup>60</sup> Camden, p. 509.



wounded in the action, was carried off by the soldiers, and soon after died. This person is described by the writers of that age as the most perfect model of an accomplished gentleman that could be formed even by the wanton imagination of poetry or fiction. Virtuous conduct, polite conversation, heroic valor, and elegant erudition, all concurred to render him the ornament and delight of the English court; and as the credit which he possessed with the queen and the Earl of Leicester was wholly employed in the encouragement of genius and literature, his praises have been transmitted with advantage to posterity. No person was so low as not to become an object of his humanity. After this last action, while he was lying on the field mangled with wounds, a bottle of water was brought him to relieve his thirst; but observing a soldier near him in a like miserable condition, he said, "This man's necessity is still greater than mine," and resigned to him the bottle of water. The King of Scots, struck with admiration of Sidney's virtue, celebrated his memory in a copy of Latin verses, which he composed on the death of that young hero.

The English, though a long peace had deprived them of all experience, were strongly possessed of military genius; and the advantages gained by the Prince of Parma were not attributed to the superior bravery and discipline of the Spaniards, but solely to the want of military abilities in Leicester. The States were much discontented with his management of the war, still more with his arbitrary and imperious conduct, and at the end of the campaign they applied to him for a redress of all their grievances. But Leicester, without giving them any satisfaction, departed soon after for England.<sup>61</sup>

The queen, while she provoked so powerful an enemy as the King of Spain, was not forgetful to secure herself on the side of Scotland; and she endeavored both to cultivate the friendship and alliance of her kinsman James, and to remove all grounds of quarrel between them. An attempt which she had made some time before was not well calculated to gain the confidence of that prince. She had despatched Wotton as her ambassador to Scotland; but though she gave him private instructions with regard to her affairs, she informed James, that when she had any political business to discuss with him she would employ another minis-

<sup>61</sup> Cariden, p. 512. Bentivoglio, part ii. lib. 4.

ter; that this man was not fitted for serious negotiations; and that her chief purpose in sending him was to entertain the king with witty and facetious conversation, and to partake, without reserve, of his pleasures and amusements. Wotton was master of profound dissimulation, and knew how to cover, under the appearance of a careless gayety, the deepest designs and most dangerous artifices. When but a youth of twenty, he had been employed by his uncle, Dr. Wotton, ambassador in France, during the reign of Mary, to ensnare the constable, Montmorency; and had not his purpose been frustrated by pure accident, his cunning had prevailed over all the caution and experience of that aged minister. It is no wonder that, after years had improved him in all the arts of deceit, he should gain an ascendant over a young prince of so open and unguarded a temper as James, especially when the queen's recommendation prepared the way for his reception. He was admitted into all the pleasures of the king; made himself master of his secrets; and had so much the more authority with him in political transactions as he did not seem to pay the least attention to these matters. The Scottish ministers, who observed the growing interest of this man, endeavored to acquire his friendship, and scrupled not to sacrifice to his intrigues the most essential interests of their master. Elizabeth's usual jealousies with regard to her heirs began now to be levelled against James; and as that prince had attained the years proper for marriage, she was apprehensive lest, by being strengthened with children and alliances, he should acquire the greater interest and authority with her English subjects. She directed Wotton to form a secret concert with some Scottish noblemen, and to procure their promise that James, during three years, should not on any account be permitted to marry. In consequence of this view, they endeavored to embroil him with the King of Denmark, who had sent ambassadors to Scotland on pretence of demanding restitution of the Orkneys, but really with a view of opening a proposal of marriage between James and his daughter. Wotton is said to have employed his intrigues to purposes still more dangerous. He formed, it is pretended, a conspiracy with some malcontents to seize the person of the king, and to deliver him into the hands of Elizabeth, who would probably have denied all concurrence in the design, but would have been sure to retain him in perpetual thralldom, if not captivity. The conspiracy was de-

tected, and Wotton fled hastily from Scotland, without taking leave of the king.<sup>62</sup>

James's situation obliged him to dissemble his resentment of this traitorous attempt, and his natural temper inclined him soon to forgive and forget it. The queen found no difficulty in renewing the negotiations for a strict alliance between Scotland and England; and the more effectually to gain the prince's friendship, she granted him a pension equivalent to his claim on the inheritance of his grandmother, the Countess of Lenox, lately deceased.<sup>63</sup> A league was formed between Elizabeth and James for the mutual defence of their dominions, and of their religion, now menaced by the open combination of all the Catholic powers of Europe. It was stipulated that if Elizabeth were invaded, James should aid her with a body of two thousand horse and five thousand foot; that Elizabeth, in a like case, should send to his assistance three thousand horse and six thousand foot; that the charge of these armies should be defrayed by the prince who demanded assistance; that if the invasion should be made upon England, within sixty miles of the frontiers of Scotland, this latter kingdom should march its whole force to the assistance of the former; and that the present league should supersede all former alliances of either state with any foreign kingdom, so far as religion was concerned.<sup>64</sup>

By this league James secured himself against all attempts from abroad, opened a way for acquiring the confidence and affections of the English, and might entertain some prospect of domestic tranquillity, which, while he lived on bad terms with Elizabeth, he could never expect long to enjoy. Besides the turbulent disposition and inveterate feuds of the nobility, ancient maladies of the Scottish government, the spirit of fanaticism had introduced a new disorder; so much the more dangerous, as religion, when corrupted by false opinion, is not restrained by any rules of morality, and is even scarcely to be accounted for in its operations by any principles of ordinary conduct and policy. The insolence of the preachers, who triumphed in their dominion over the populace, had at this time reached an extreme height; and they carried their arrogance so far, not only against the king, but against the whole civil power, that they excommunicated the Archbishop of St. Andrew's because he had

<sup>62</sup> Melvil.

<sup>63</sup> Spotswood, p. 351

<sup>64</sup> Spotswood, p. 349. Camden, p. 513. Rymer, vol. xv. p. 803.

been active in Parliament for promoting a law which restrained their seditious sermons.<sup>65</sup> Nor could that prelate save himself by any expedient from this terrible sentence but by renouncing all pretensions to ecclesiastical authority. One Gibson said in the pulpit that Captain James Stuart (meaning the late Earl of Arran) and his wife, Jezebel, had been deemed the chief persecutors of the Church; but it was now seen that the king himself was the great offender; and for this crime the preacher denounced against him the curse which fell on Jeroboam, that he should die childless, and be the last of his race.<sup>66</sup>

The secretary, Thirlstone, perceiving the king so much molested with ecclesiastical affairs and with the refractory disposition of the clergy, advised him to leave them to their own courses, for that in a short time they would become so intolerable that the people would rise against them and drive them out of the country. "True," replied the king, "if I purposed to undo the Church and religion, your counsel were good; but my intention is to maintain both; therefore cannot I suffer the clergy to follow such a conduct as will, in the end, bring religion into contempt and derision."<sup>67</sup>

<sup>65</sup> Spotswood, pp. 345, 346.

<sup>66</sup> Spotswood, p. 344.

<sup>67</sup> Spotswood, p. 348.



## CHAPTER XLII.

ZEAL OF THE CATHOLICS.—BABINGTON'S CONSPIRACY.—MARY ASSENTS TO THE CONSPIRACY.—THE CONSPIRATORS SEIZED AND EXECUTED.—RESOLUTION TO TRY THE QUEEN OF SCOTS.—THE COMMISSIONERS PREVAIL ON HER TO SUBMIT TO THE TRIAL.—SENTENCE AGAINST MARY.—INTERPOSITION OF KING JAMES.—REASONS FOR THE EXECUTION OF MARY.—THE EXECUTION.—MARY'S CHARACTER.—THE QUEEN'S AFFECTED SORROW.—DRAKE DESTROYS THE SPANISH FLEET AT CADIZ.—PHILIP PROJECTS THE INVASION OF ENGLAND.—THE INVINCIBLE ARMADA.—PREPARATIONS IN ENGLAND.—THE ARMADA ARRIVES IN THE CHANNEL.—DEFEATED.—A PARLIAMENT.—EXPEDITION AGAINST PORTUGAL.—AFFAIRS OF SCOTLAND.

[1586.] THE dangers which arose from the character, principles, and pretensions of the Queen of Scots had very early engaged Elizabeth to consult, in her treatment of that unfortunate princess, the dictates of jealousy and politics rather than of friendship or generosity; resentment of this usage had pushed Mary into enterprises which had nearly threatened the repose and authority of Elizabeth. The rigor and restraint, thence redoubled upon the captive queen,<sup>1</sup> still impelled her to attempt greater extremities; and while her impatience of confinement, her revenge,<sup>2</sup> and her high spirit concurred with religious zeal and the suggestions of desperate bigots, she was at last engaged in designs which afforded her enemies, who watched the opportunity, a pretence or reason for effecting her final ruin.

The English seminary at Rheims had wrought themselves up to a high pitch of rage and animosity against the queen. The recent persecutions from which they had escaped; the new rigors which they knew awaited them in the course of their missions; the liberty, which at present they enjoyed, of declaiming against that princess; and the

<sup>1</sup> Digges, p. 139. Haynes, p. 607.

<sup>2</sup> See note [EE] at the end of the volume.

contagion of that religious fury which everywhere surrounded them in France—all these causes had obliterated with them every maxim of common-sense and every principle of morals or humanity. Intoxicated with admiration of the divine power and infallibility of the pope, they revered his bull by which he excommunicated and deposed the queen; and some of them had gone to that height of extravagance as to assert that that performance had been immediately dictated by the Holy Ghost. The assassination of heretical sovereigns, and of that princess in particular, was represented as the most meritorious of all enterprises; and they taught that whoever perished in such pious attempts enjoyed, without dispute, the glorious and never-fading crown of martyrdom. By such doctrines they instigated John Savage—a man of desperate courage, who had served some years in the Low Countries under the Prince of Parma—to attempt the life of Elizabeth; and this assassin, having made a vow to persevere in his design, was sent over to England, and recommended to the confidence of the more zealous Catholics.

About the same time, John Ballard, a priest of that seminary, had returned to Paris from his mission in England and Scotland; and as he had observed a spirit of mutiny and rebellion to be very prevalent among the Catholic devotees in these countries, he had founded, on that disposition, the project of dethroning Elizabeth, and of restoring, by force of arms, the exercise of the ancient religion.<sup>3</sup> The situation of affairs abroad seemed favorable to this enterprise. The pope, the Spaniard, the Duke of Guise, concurring in interests, had formed a resolution to make some attempt against England; and Mendoza, the Spanish ambassador at Paris, strongly encouraged Ballard to hope for succors from these princes. Charles Paget alone, a zealous Catholic, and a devoted partisan of the Queen of Scots, being well acquainted with the prudence, vigor, and general popularity of Elizabeth, always maintained that so long as that princess was allowed to live, it was in vain to expect any success from an enterprise upon England. Ballard, persuaded of this truth, saw more clearly the necessity of executing the design formed at Rheims. He came over to England in the disguise of a soldier, and assumed the name of Captain Fortescue; and he bent his endeavors to effect at once the project of an assassination, an insurrection, and an invasion.<sup>4</sup>

<sup>3</sup> Murden's State Papers, p. 517.

<sup>4</sup> Camden, p. 515.

The first person to whom he addressed himself was Anthony Babington, of Dethic, in the county of Derby. This young gentleman was of a good family, possessed a plentiful fortune, had discovered an excellent capacity, and was accomplished in literature beyond most of his years or station. Being zealously devoted to the Catholic communion, he had secretly made a journey to Paris some time before, and had fallen into intimacy with Thomas Morgan, a bigoted fugitive from England, and with the Bishop of Glasgow, Mary's ambassador at the court of France. By continually extolling the amiable accomplishments and heroical virtues of that princess, they impelled the sanguine and unguarded mind of young Babington to make some attempt for her service; and they employed every principle of ambition, gallantry, and religious zeal to give him a contempt of those dangers which attended any enterprise against the vigilant government of Elizabeth. Finding him well disposed for their purpose, they sent him back to England, and secretly, unknown to himself, recommended him to the Queen of Scots as a person worth engaging in her service. She wrote him a letter full of friendship and confidence; and Babington, ardent in his temper and zealous in his principles, thought that these advances now bound him in honor to devote himself entirely to the service of that unfortunate princess. During some time he had found means of conveying to her all her foreign correspondence; but after she was put under the custody of Sir Amias Paulet, and reduced to a more rigorous confinement, he experienced so much difficulty and danger in rendering her this service that he had desisted from every attempt of that nature.

When Ballard began to open his intentions to Babington, he found his zeal suspended, not extinguished. His former ardor revived on the mention of any enterprise which seemed to promise success in the cause of Mary and of the Catholic religion. He had entertained sentiments conformable to those of Paget, and represented the folly of all attempts which, during the lifetime of Elizabeth, could be formed against the established religion and government of England. Ballard, encouraged by this hint, proceeded to discover to him the design undertaken by Savage;<sup>5</sup> and was well pleased to observe that, instead of being shocked with the project, Babington only thought it not secure enough

<sup>5</sup> Camden, p. 515. State Trials, p. 114.

when intrusted to one single hand, and proposed to join five others with Savage in this desperate enterprise.

In prosecution of these views, Babington employed himself in increasing the number of his associates; and he secretly drew into the conspiracy many Catholic gentlemen discontented with the present government. Barnwel, of a noble family in Ireland; Charnoc, a gentleman of Lancashire; and Abington, whose father had been cofferer to the household, readily undertook the assassination of the queen. Charles Tilney, the heir of an ancient family, and Tichbourne, of Southampton, when the design was proposed to them, expressed some scruples, which were removed by the arguments of Babington and Ballard. Savage alone refused, during some time, to share the glory of the enterprise with any others; <sup>6</sup> he challenged the whole to himself, and it was with some difficulty he was induced to depart from this preposterous ambition.

The deliverance of the Queen of Scots at the very same instant when Elizabeth should be assassinated was requisite for effecting the purpose of the conspirators; and Babington undertook, with a party of a hundred horse, to attack her guards while she should be taking the air on horseback. In this enterprise he engaged Edward Windsor (brother to the lord of that name), Thomas Salisbury, Robert Gage, John Travers, John Jones, and Henry Donne—most of them men of family and interest. The conspirators much wanted, but could not find, any nobleman of note whom they might place at the head of the enterprise; but they trusted that the great events of the queen's death and Mary's deliverance would rouse all the zealous Catholics to arms, and that foreign forces, taking advantage of the general confusion, would easily fix the Queen of Scots on the throne and re-establish the ancient religion.

These desperate projects had not escaped the vigilance of Elizabeth's council, particularly of Walsingham, secretary of state. That artful minister had engaged Maud, a Catholic priest whom he retained in pay, to attend Ballard in his journey to France, and had thereby got a hint of the designs entertained by the fugitives. Polly, another of his spies, had found means to insinuate himself among the conspirators in England, and, though not entirely trusted, had obtained some insight into their dangerous secrets. But the bottom of the conspiracy was never fully known

<sup>6</sup> State Trials, vol. i. p. 111.



till Gifford, a seminary priest, came over and made a tender of his services to Walsingham. By his means the discovery became of the utmost importance, and involved the fate of Mary as well as of those zealous partisans of that princess.

Babington and his associates having laid such a plan as they thought promised infallible success, were impatient to communicate the design to the Queen of Scots, and to obtain her approbation and concurrence. For this service they employed Gifford, who immediately applied to Walsingham, that the interest of that minister might forward his secret correspondence with Mary. Walsingham proposed the matter to Paulet, and desired him to connive at Gifford's corrupting one of his servants; but Paulet, averse to the introducing of such a pernicious precedent into his family, desired that they would rather think of some other expedient. Gifford found a brewer, who supplied the family with ale, and bribed him to convey letters to the captive queen. The letters, by Paulet's contrivance, were thrust through a chink in the wall, and answers were returned by the same conveyance.

Ballard and Babington were at first diffident of Gifford's fidelity, and to make trial of him they gave him only blank papers made up like letters; but finding by the answer that these had been faithfully delivered, they laid aside all further scruple, and conveyed by his hands the most criminal and dangerous parts of their conspiracy. Babington informed Mary of the design laid for a foreign invasion; the plan of an insurrection at home; the scheme for her deliverance; and the conspiracy for assassinating the usurper by six noble gentlemen, as he termed them, all of them his private friends; who, from the zeal which they bore to the Catholic cause and her majesty's service, would undertake the *tragical execution*. Mary replied that she approved highly of the design; that the gentlemen might expect all the rewards which it should ever be in her power to confer; and that the death of Elizabeth was a necessary circumstance before any attempts were made, either for her own deliverance or an insurrection.<sup>7</sup> These letters, with others to Mendoza, Charles Paget, the Archbishop of Glasgow, and Sir Francis Inglefield, were carried by Gifford to Secretary Walsingham; were deciphered by the art of Philips, his clerk; and copies taken of them. Walsingham employed another artifice in order to obtain full insight into the plot:

<sup>7</sup> State Trials, vol. i. p. 135. Camden, p. 515.

he subjoined to a letter of Mary's a postscript in the same cipher, in which he made her desire Babington to inform her of the names of the conspirators. The indiscretion of Babington furnished Walsingham with still another means of detection as well as of defence. That gentleman had caused a picture to be drawn, where he was himself represented standing amid the six assassins; and a motto was subjoined expressing that their common perils were the band of their confederacy. A copy of this picture was brought to Elizabeth that she might know the assassins and guard herself against their approach to her person.

Meanwhile, Babington, anxious to insure and hasten the foreign succor, resolved to despatch Ballard into France; and he procured for him, under a feigned name, a license to travel. In order to remove from himself all suspicion, he applied to Walsingham, pretended great zeal for the queen's service, offered to go abroad, and professed his intentions of employing the confidence which he had gained among the Catholics to the detection and disappointment of their conspiracies. Walsingham commended his loyal purposes; and, promising his own council and assistance in the execution of them, still fed him with hopes, and maintained a close correspondence with him. A warrant, meanwhile, was issued for seizing Ballard; and this incident, joined to the consciousness of guilt, begat in all the conspirators the utmost anxiety and concern. Some advised that they should immediately make their escape. Others proposed that Savage and Charnoc should without delay execute their purpose against Elizabeth; and Babington, in prosecution of his scheme, furnished Savage with money, that he might buy good clothes, and thereby have more easy access to the queen's person. Next day they began to apprehend that they had taken the alarm too hastily; and Babington, having renewed his correspondence with Walsingham, was persuaded by that subtle minister that the seizure of Ballard had proceeded entirely from the usual diligence of informers in the detection of popish and seminary priests. He even consented to take lodgings secretly in Walsingham's house, that they might have more frequent conferences together, before his intended departure for France; but observing that he was watched and guarded, he made his escape, and gave the alarm to the other conspirators. They all took to flight, covered themselves with several disguises, and lay concealed in woods or barns, but were soon discovered and

thrown into prison. In their examinations they contradicted each other; and the leaders were obliged to make a full confession of the truth. Fourteen were condemned and executed, of whom seven acknowledged the crime on their trial; the rest were convicted by evidence.

The lesser conspirators being despatched, measures were taken for the trial and conviction of the Queen of Scots, on whose account and with whose concurrence these attempts had been made against the life of the queen and the tranquillity of the kingdom. Some of Elizabeth's councillors were averse to this procedure; and thought that the close confinement of a woman who was become very sickly, and who would probably put a speedy period to their anxiety by her natural death, might give sufficient security to the government, without attempting a measure of which there scarcely remains any example in history. Leicester advised that Mary should be secretly despatched by poison, and he sent a divine to convince Walsingham of the lawfulness of that action; but Walsingham declared his abhorrence of it, and still insisted, in conjunction with the majority of the councillors, for the open trial of the Queen of Scots. The situation of England and of the English ministers had, indeed, been hitherto not a little dangerous. No successor of the crown was declared; but the heir of blood, to whom the people in general were likely to adhere, was, by education, an enemy to the national religion; was, from multiplied provocation, an enemy to the ministers and principal nobility; and their personal safety, as well as the safety of the public, seemed to depend alone on the queen's life, who was now somewhat advanced in years. No wonder, therefore, that Elizabeth's councillors, knowing themselves to be so obnoxious to the Queen of Scots, endeavored to push every measure to extremities against her, and were even more anxious than the queen herself to prevent her from ever mounting the throne of England.

Though all England was acquainted with the detection of Babington's conspiracy, every avenue to the Queen of Scots had been so strictly guarded that she remained in utter ignorance of the matter; and it was a great surprise to her when Sir Thomas Gorges, by Elizabeth's orders, informed her that all her accomplices were discovered and arrested. He chose the time for giving her this intelligence when she was mounted on horseback to go a-hunting; and she was not permitted to return to her former place of abode, but was

conducted from one gentleman's house to another till she was lodged in Fotheringay Castle, in the county of Northampton, which it was determined to make the last stage of her trial and sufferings. Her two secretaries (Nau, a Frenchman, and Curle, a Scot) were immediately arrested. All her papers were seized and sent up to the council. About sixty different keys to ciphers were discovered. There were also found many letters from persons beyond the sea, and several too from English noblemen, containing expressions of respect and attachment. The queen took no notice of this latter discovery ; but the persons themselves, knowing their correspondence to be detected, thought that they had no other means of making atonement for their imprudence than by declaring themselves thenceforth the most inveterate enemies of the Queen of Scots.<sup>8</sup>

It was resolved to try Mary, not by the common statute of treasons, but by the act which had passed the former year with a view to this very event ; and the queen, in terms of that act, appointed a commission, consisting of forty noblemen and privy-councillors, and empowered them to examine and pass sentence on Mary, whom she denominated the late Queen of Scots, and heir to James V. of Scotland. The commissioners came to Fotheringay Castle, and sent to her Sir Walter Mildmay, Sir Amias Paulet, and Edward Barker, who delivered her a letter from Elizabeth informing her of the commission and of the approaching trial. Mary received the intelligence without emotion or astonishment. She said, however, that it seemed strange to her that the queen should command her, as a subject, to submit to a trial and examination before subjects ; that she was an absolute, independent princess, and would yield to nothing which might derogate either from her royal majesty, from the state of sovereign princes, or from the dignity and rank of her son ; that, however oppressed by misfortunes, she was not yet so much broken in spirit as her enemies flattered themselves, nor would she, on any account, be accessory to her own degradation and dishonor ; that she was ignorant of the laws and statutes of England, was utterly destitute of counsel, and could not conceive who were entitled to be called her peers, or could legally sit as judges on her trial ; that though she had lived in England for many years, she had lived in captivity, and not having received

<sup>8</sup> Camden, p. 518.



the protection of the laws, she could not, merely by her involuntary residence in the country, be supposed to have subjected herself to their jurisdiction; that, notwithstanding the superiority of her rank, she was willing to give an account of her conduct before an English Parliament, but could not view these commissioners in any other light than as men appointed to justify, by some color of legal proceedings, her condemnation and execution; and that she warned them to look to their conscience and their character in trying an innocent person, and to reflect that these transactions would somewhere be subject to revisal, and that the theatre of the whole world was much wider than the kingdom of England.

In return, the commissioners sent a new deputation informing her that her plea, either from her royal dignity or from her imprisonment, could not be admitted; and that they were empowered to proceed to her trial even though she should refuse to answer before them. Burleigh, the treasurer, and Bromley the chancellor, employed much reasoning to make her submit; but the person whose argument had the chief influence was Sir Christopher Hatton, vice-chamberlain. His speech was to this purpose: "You are accused, madam," said he, "but not condemned, of having conspired the destruction of our lady and queen anointed. You say you are a queen; but in such a crime as this and in such a situation as yours the royal dignity itself, neither by the civil or canon law, nor by the law of nature or of nations, is exempt from judgment. If you be innocent, you wrong your reputation in avoiding a trial. We have been present at your protestations of innocence; but Queen Elizabeth thinks otherwise, and is heartily sorry for the appearances which lie against you. To examine, therefore, your cause, she has appointed commissioners, honorable persons, prudent and upright men, who are ready to hear you with equity, and even with favor, and will rejoice if you can clear yourself of the imputations which have been thrown upon you. Believe me, madam, the queen herself will rejoice, who affirmed to me, at my departure, that nothing which ever befell her had given her so much uneasiness as that you should be suspected of a concurrence in these criminal enterprises. Laying aside, therefore, the fruitless claim of privilege from your royal dignity, which can now avail you nothing, trust to the better defence of your innocence, make it appear in open trial, and leave not

upon your memory that stain of infamy which must attend your obstinate silence on this occasion.”<sup>9</sup>

By this artful speech Mary was persuaded to answer before the court; and thereby gave an appearance of legal procedure to the trial, and prevented those difficulties which the commissioners must have fallen into had she persevered in maintaining so specious a plea as that of her sovereign and independent character. Her conduct in this particular must be regarded as the more imprudent, because formerly, when Elizabeth’s commissioners pretended not to exercise any jurisdiction over her and only entered into her cause by her own consent and approbation, she declined justifying herself, when her honor, which ought to have been dearer to her than life, seemed absolutely to require it.

On her first appearance before the commissioners, Mary, either sensible of her imprudence, or still unwilling to degrade herself by submitting to a trial, renewed her protestation against the authority of the judges. The chancellor answered her by pleading the supreme authority of the English laws over every one who resided in England; and the commissioners accommodated matters by ordering both her protestation and his answer to be recorded.

The lawyers of the crown then opened the charge against the Queen of Scots. They proved, by intercepted letters, that she allowed Cardinal Allen and others to treat her as the Queen of England; and that she had kept a correspondence with Lord Paget and Charles Paget, in view of engaging the Spaniards to invade the kingdom. Mary seemed not anxious to clear herself from either of these imputations. She only said that she could not hinder others from using what style they pleased in writing to her, and that she might lawfully try every expedient for the recovery of her liberty.

An intercepted letter of hers to Mendoza was next produced, in which she promised to transfer to Philip her right to the kingdom of England if her son should refuse to be converted to the Catholic faith; an event, she there said, of which there was no expectation while he remained in the hands of his Scottish subjects.<sup>10</sup> Even this part of the charge she took no pains to deny, or rather, she seemed to acknowledge it. She said that she had no kingdoms to dispose of; yet it was lawful for her to give at her pleasure what was her own, and she was not accountable to any for her ac-

<sup>9</sup> Camden, p. 523.

<sup>10</sup> State Trials, vol. i. p. 138.

tions. She added that she had formerly rejected that proposal from Spain ; but now, since all her hopes in England were gone, she was fully determined not to refuse foreign assistance. There was also produced evidence to prove that Allen and Parsons were at that very time negotiating by her orders, at Rome, the conditions of transferring her English crown to the King of Spain, and disinheriting her heretical son.<sup>11</sup>

It is remarkable that Mary's prejudices against her son were at this time carried so far that she had even entered into a conspiracy against him, had appointed Lord Claud Hamilton Regent of Scotland, and had instigated her adherents to seize James's person, and deliver him into the hands of the pope or the King of Spain ; whence he was never to be delivered, but on condition of his becoming Catholic.<sup>12</sup>

The only part of the charge which Mary positively denied was her concurrence in the design of assassinating Elizabeth. This article, indeed, was the most heavy, and the only one that could fully justify the queen in proceeding to extremities against her. In order to prove the accusation there was produced the following evidence : copies taken in Secretary Walsingham's office of the intercepted letters between her and Babington, in which her approbation of the murder was clearly expressed ; the evidence of her two secretaries, Nau and Curle, who had confessed, without being put to any torture, both that she had received these letters from Babington and that they had written the answers by her order ; the confession of Babington that he had written the letters and received the answers ;<sup>13</sup> and the confession of Ballard and Savage, that Babington had showed them these letters of Mary, written in the cipher which had been settled between them.

It is evident that this complication of evidence, though every circumstance corroborates the general conclusion, resolves itself finally into the testimony of the two secretaries, who alone were certainly acquainted with their mistress's concurrence in Babington's conspiracy, but who knew themselves exposed to all the rigors of imprisonment, torture, and death if they refused to give any evidence which might be required of them. In the case of an ordinary criminal, this proof, with all its disadvantages, would be esteemed

<sup>11</sup> See note [FF] at the end of the volume.

<sup>12</sup> See note [GG] at the end of the volume.

<sup>13</sup> State Trials, vol. i. p. 113.

legal, and even satisfactory, if not opposed by some other circumstances which shake the credit of the witnesses; but on the present trial, where the absolute power of the prosecutor concurred with such important interests, and such a violent inclination to have the princess condemned, the testimony of two witnesses, even though men of character, ought to be supported by strong probabilities, in order to remove all suspicion of tyranny and injustice. The proof against Mary, it must be confessed, is not destitute of this advantage; and it is difficult, if not impossible, to account for Babington's receiving an answer written in her name, and in the cipher concerted between them, without allowing that the matter had been communicated to that princess. Such is the light in which this matter appears, even after time has discovered everything which could guide our judgment with regard to it; no wonder, therefore, that the Queen of Scots, unassisted by counsel, and confounded by so extraordinary a trial, found herself incapable of making a satisfactory defence before the commissioners. Her reply consisted chiefly in her own denial: whatever force may be in that denial was much weakened by her positively affirming that she never had had any correspondence of any kind with Babington—a fact, however, of which there remains not the least question.<sup>14</sup> She asserted that as Nau and Curle had taken an oath of secrecy and fidelity to her, their evidence against her ought not to be credited. She confessed, however, that Nau had been in the service of her uncle, the Cardinal of Lorraine, and had been recommended to her by the King of France as a man in whom she might safely confide. She also acknowledged Curle to be a very honest man, but simple, and easily imposed on by Nau. If these two men had received any letters, or had written any answers without her knowledge, the imputation, she said, could never lie on her. And she was the more inclined, she added, to entertain this suspicion against them, because Nau had in other instances been guilty of a like temerity, and had ventured to transact business in her name without communicating the matter to her.<sup>15</sup>

The sole circumstance of her defence, which to us may appear to have some force, was her requiring that Nau and Curle should be confronted with her, and her affirming that they never would to her face persist in their evidence. But

<sup>14</sup> See note [HH] at the end of the volume:

<sup>15</sup> See note [II] at the end of the volume.



that demand, however equitable, was not then supported by law in trials of high treason, and was often refused even in other trials where the crown was prosecutor. The clause contained in an act of the 13th of the queen was a novelty: that the species of treason there enumerated must be proved by two witnesses, confronted with the criminal. But Mary was not tried upon that act; and the ministers and crown lawyers of this reign were always sure to refuse every indulgence beyond what the strict letter of the law and the settled practice of the courts of justice required of them, not to mention that these secretaries were not probably at Fotheringay Castle during the time of the trial, and could not upon Mary's demand be produced before the commissioners.<sup>16</sup>

There passed two incidents in this trial which may be worth observing. A letter between Mary and Babington was read, in which mention was made of the Earl of Arundel and his brothers. On hearing their names, she broke into a sigh: "Alas!" said she, "what has the noble house of the Howards suffered for my sake!" She affirmed, with regard to the same letter, that it was easy to forge the handwriting and cipher of another: she was afraid that this was too familiar a practice with Walsingham, who, she also heard, had frequently practised both against her life and her son's. Walsingham, who was one of the commissioners, rose up. He protested that in his private capacity he had never acted anything against the Queen of Scots; in his public capacity, he owned that his concern for his sovereign's safety had made him very diligent in searching out, by every expedient, all designs against her sacred person or her authority. For attaining that end, he would not only make use of the assistance of Ballard or any other conspirator; he would also reward them for betraying their companions. But if he had tampered in any manner unbefitting his character and office, why did none of the late criminals, either at their trial or execution, accuse him of such practices? Mary endeavored to pacify him by saying that she spoke from information; and she begged him to give thenceforth no more credit to such as slandered her than she should to such as accused him. The great character, indeed, which

<sup>16</sup> Queen Elizabeth was willing to have allowed Curle and Nau to be produced in the trial, and writes to that purpose to Burleigh and Walsingham, in her letter of the 7th of October, in Forbes's MS. collections. She only says that she thinks it needless, though she was willing to agree to it. The not confronting of the witnesses was not the result of design, but the practice of the age.

Sir Francis Walsingham bears for probity and honor should remove from him all suspicion of such base arts as forgery and subornation—arts which even the most corrupt ministers, in the most corrupt times, would scruple to employ.

Having finished the trial, the commissioners adjourned from Fotheringay Castle, and met in the Star-chamber at London; where, after taking the oaths of Mary's two secretaries, who voluntarily, without hope or reward, vouched the authenticity of those letters before produced, they pronounced sentence of death upon the Queen of Scots, and confirmed it by their seals and subscriptions. The same day a declaration was published by the commissioners and the judges "that the sentence did nowise derogate from the title and honor of James, King of Scotland; but that he was in the same place, degree, and right as if the sentence had never been pronounced."<sup>17</sup>

The queen had now brought affairs with Mary to that situation which she had long ardently desired; and had found a plausible reason for executing vengeance on a competitor, whom, from the beginning of her reign, she had ever equally dreaded and hated. But she was restrained from instantly gratifying her resentment by several important considerations. She foresaw the invidious colors in which this example of uncommon jurisdiction would be represented by the numerous partisans of Mary, and the reproach to which she herself might be exposed with all foreign princes, perhaps with all posterity. The rights of hospitality, of kindred, and of royal majesty seemed, in one single instance, to be all violated; and this sacrifice of generosity to interest, of clemency to revenge, might appear equally unbecoming a sovereign and a woman. Elizabeth, therefore, who was an excellent hypocrite, pretended the utmost reluctance to proceed to the execution of the sentence; affected the most tender sympathy with her prisoner; displayed all her scruples and difficulties; rejected the solicitation of her courtiers and ministers; and affirmed that were she not moved by the deepest concern for her people's safety, she would not hesitate a moment in pardoning all the injuries which she herself had received from the Queen of Scots.

That the voice of her people might be more audibly heard in the demand of justice upon Mary, she summoned a new Parliament; and she knew, both from the usual dis-

<sup>17</sup> Camden, p. 526.

positions of that assembly, and from the influence of her ministers over them, that she should not want the most earnest solicitation to consent to that measure which was so agreeable to her secret inclinations. She did not open this assembly in person, but appointed for that purpose three commissioners—Bromley, the chancellor; Burleigh, the treasurer; and the Earl of Derby. The reason assigned for this measure was that the queen, foreseeing that the affair of the Queen of Scots would be canvassed in Parliament, found her tenderness and delicacy so much hurt by that melancholy incident that she had not the courage to be present while it was under deliberation, but withdrew her eyes from what she could not behold without the utmost reluctance and uneasiness. She was also willing that, by this unusual precaution, the people should see the danger to which her person was hourly exposed; and should thence be more strongly incited to take vengeance on the criminal whose restless intrigues and bloody conspiracies had so long exposed her to the most imminent perils.<sup>18</sup>

The Parliament answered the queen's expectations: the sentence against Mary was unanimously ratified by both houses; and an application was voted to obtain Elizabeth's consent to its publication and execution.<sup>19</sup> She gave an answer, ambiguous, embarrassed, full of real artifice and seeming irresolution. She mentioned the extreme danger to which her life was continually exposed; she declared her willingness to die did she not foresee the great calamities which would thence fall upon the nation; she made professions of the greatest tenderness to her people; she displayed the clemency of her temper, and expressed her violent reluctance to execute the sentence against her unhappy kinswoman; she affirmed that the late law by which that princess was tried, so far from being made to ensnare her, was only intended to give her warning beforehand not to engage in such attempts as might expose her to the penalties with which she was thus openly menaced; and she begged them to think once again whether it was possible to find any expedient besides the death of the Queen of Scots for securing the public tranquillity.<sup>20</sup> The Parliament, in obedience to her commands, took the affair again under consideration, but could find no other possible expedient. They reiterated their solicitations and entreaties and arguments; they even remonstrated that mercy to the Queen

<sup>18</sup> D'Ewes, p. 375.<sup>19</sup> D'Ewes, p. 379.<sup>20</sup> D'Ewes, pp. 402, 403.

of Scots was cruelty to them, her subjects, and children; and they affirmed that it were injustice to deny execution of the law to any individual, much more to the whole body of the people, now unanimously and earnestly suing for this pledge of her parental care and tenderness. This second address set the pretended doubts and scruples of Elizabeth anew in agitation: she complained of her own unfortunate situation; expressed her uneasiness from their importunity; renewed the professions of affection to her people; and dismissed the committee of Parliament in an uncertainty what, after all this deliberation, might be her final resolution.<sup>21</sup>

But though the queen affected reluctance to execute the sentence against Mary, she complied with the request of Parliament in publishing it by proclamation; and this act seemed to be attended with the unanimous and hearty rejoicings of the people. Lord Buckhurst, and Beale, clerk of the council, were sent to the Queen of Scots, and notified to her the sentence pronounced against her, its ratification by Parliament, and the earnest applications made for its execution by that assembly, who thought that their religion could never, while she was alive, attain a full settlement and security. Mary was nowise dismayed at this intelligence: on the contrary, she joyfully laid hold of the last circumstance mentioned to her; and insisted that since her death was demanded by the Protestants for the establishment of their faith, she was really a martyr to her religion, and was entitled to all the merits attending that glorious character. She added that the English had often imbrued their hands in the blood of their sovereigns: no wonder they exercised cruelty against her, who derived her descent from these monarchs.<sup>22</sup> Paulet, her keeper, received orders to take down her canopy, and to serve her no longer with the respect due to sovereign princes. He told her that she was now to be considered as a dead person, and incapable of any dignity.<sup>23</sup> This harsh treatment produced not in her any seeming emotion. She only replied that she had received her royal character from the hands of the Almighty, and no earthly power was ever able to bereave her of it.

The Queen of Scots wrote her last letter to Elizabeth, full of dignity, without departing from that spirit of meekness and of charity which appeared suitable to this conclusion.

<sup>21</sup> See note [KK] at the end of the volume.

<sup>23</sup> Jebb, vol. ii. p. 293.

<sup>22</sup> Camden, p. 528.



ing scene of her unfortunate life. She preferred no petition for averting the fatal sentence; on the contrary, she expressed her gratitude to Heaven for thus bringing to a speedy period her sad and lamentable pilgrimage. She requested some favors of Elizabeth, and entreated her that she might be beholden for them to her own goodness alone, without making applications to those ministers who had discovered such an extreme malignity against her person and her religion. She desired that, after her enemies should be satiated with her innocent blood, her body, which it was determined should never enjoy rest while her soul was united to it, might be consigned to her servants, and be conveyed by them into France, there to repose in a Catholic land, with the sacred relics of her mother. In Scotland, she said, the sepulchres of her ancestors were violated, and the churches either demolished or profaned; and in England, where she might be interred among the ancient kings, her own and Elizabeth's progenitors, she could entertain no hopes of being accompanied to the grave with those rites and ceremonies which her religion required. She requested that no one might have the power of inflicting a private death upon her without Elizabeth's knowledge, but that her execution should be public, and attended by her ancient servants, who might bear testimony of her perseverance in the faith, and of her submission to the will of Heaven. She begged that these servants might afterwards be allowed to depart whithersoever they pleased, and might enjoy those legacies which she should bequeath them. And she conjured her to grant these favors by their near kindred; by the soul and memory of Henry VII., the common ancestor of both; and by the royal dignity, of which they equally participated.<sup>24</sup> Elizabeth made no answer to this letter, being unwilling to give Mary a refusal in her present situation, and foreseeing inconveniences from granting some of her requests.

While the Queen of Scots thus prepared herself to meet her fate, great efforts were made by foreign powers with Elizabeth to prevent the execution of the sentence pronounced against her. Besides employing L'Aubespine, the French resident at London, a creature of the house of Guise, Henry sent over Bellievre, with a professed intention of interceding for the life of Mary. The Duke of Guise and the league at that time threatened very nearly the king's

<sup>24</sup> Camden, p. 529. Jebb, vol. ii. p. 295.

authority ; and Elizabeth knew that, though that monarch might, from decency and policy, think himself obliged to interpose publicly in behalf of the Queen of Scots, he could not secretly be much displeased with the death of a princess on whose fortune and elevation his mortal enemies had always founded so many daring and ambitious projects.<sup>25</sup> It is even pretended that Bellievre had orders, after making public and vehement remonstrances against the execution of Mary, to exhort privately the queen, in his master's name, not to defer an act of justice so necessary for their common safety.<sup>26</sup> But whether the French king's intercession were sincere or not, it had no weight with the queen, and she still persisted in her former resolution.

The interposition of the young King of Scots, though not able to change Elizabeth's determination, seemed, on every account, to merit more regard. As soon as James heard of the trial and condemnation of his mother, he sent Sir William Keith, a gentleman of his bedchamber, to London ; and wrote a letter to the queen, in which he remonstrated, in very severe terms, against the indignity of the procedure. He said that he was astonished to hear of the presumption of English noblemen and councillors, who had dared to sit in judgment and pass sentence upon a Queen of Scotland descended from the blood royal of England ; but he was still more astonished to hear that thoughts were seriously entertained of putting that sentence in execution : that he entreated Elizabeth to reflect on the dishonor which she would draw on her name by imbruing her hands in the blood of her near kinswoman, a person of the same royal dignity and of the same sex with herself : that in this unparalleled attempt she offered an affront to all diadems, and even to her own ; and, by reducing sovereigns to a level with other men, taught the people to neglect all duty towards those whom Providence had appointed to rule over them : that, for his part, he must deem the injury and insult so enormous as to be incapable of all atonement ; nor was it possible for him thenceforward to remain in any terms of correspondence with a person who, without any pretence of legal authority, had deliberately inflicted an ignominious death upon his parent ; and that even if the sentiments of nature and duty did not inspire him with this purpose of vengeance, his honor required it of him ; nor could he ever acquit himself in the eyes of the world if he

<sup>25</sup> Camden, p. 494.

<sup>26</sup> Du Maurier.

did not use every effort, and endure every hazard, to revenge so great an indignity.<sup>27</sup>

Soon after, James sent the master of Gray and Sir Robert Melvil to enforce the remonstrances of Keith, and to employ with the queen every expedient of argument and menaces. Elizabeth was at first offended with the sharpness of these applications, and she replied in a like strain to the Scottish ambassadors. When she afterwards reflected that this earnestness was no more than what duty required of James, she was pacified, but still retained her resolution of executing the sentence against Mary.<sup>28</sup> It is believed that the master of Gray, gained by the enemies of that princess, secretly gave his advice not to spare her, and undertook, in all events, to pacify his master.

The queen also, from many considerations, was induced to pay small attention to the applications of James, and to disregard all the efforts which he could employ in behalf of his mother. She was well acquainted with his character and interests, the factions which prevailed among his people, and the inveterate hatred which the zealous Protestants, particularly the preachers, bore to the Queen of Scots. The present incident set these dispositions of the clergy in a full light. James, observing the fixed purpose of Elizabeth, ordered prayers to be offered up for Mary in all the churches; and, knowing the captious humor of the ecclesiastics, he took care that the form of the petition should be most cautious, as well as humane and charitable: "That it might please God to illuminate Mary with the light of his truth, and save her from the apparent danger with which she was threatened." But, excepting the king's own chaplains, and one clergyman more, all the preachers refused to pollute their churches by prayers for a Papist, and would not so much as prefer a petition for her conversion. James, unwilling or unable to punish this disobedience, and desirous of giving the preachers an opportunity of amending their fault, appointed a new day when prayers should be said for his mother; and, that he might at least secure himself from any insult in his own presence, he desired the Archbishop of St. Andrew's to officiate before him. In order to disappoint this purpose, the clergy instigated one Couper, a young man who had not yet received holy orders, to take possession of the pulpit early in the morning, and to exclude the prelate. When the king came to church, and saw the pulpit occupied

<sup>27</sup> Spotswood, p. 351.

<sup>28</sup> Spotswood, p. 353.

by Couper, he called to him from his seat, and told him that place was destined for another; yet since he was there, if he would obey the charge given, and remember the queen in his prayers, he might proceed to divine service. The preacher replied that he would do as the Spirit of God should direct him. This answer sufficiently instructed James in his purpose, and he commanded him to leave the pulpit. As Couper seemed not disposed to obey, the captain of the guard went to pull him from his place; upon which the young man cried aloud that this day would be a witness against the king in the great day of the Lord; and he denounced a woe upon the inhabitants of Edinburgh for permitting him to be treated in that manner.<sup>29</sup> The audience at first appeared desirous to take part with him; but the sermon of the prelate brought them over to a more dutiful and more humane disposition.

Elizabeth, when solicited either by James or by foreign princes to pardon the Queen of Scots, seemed always determined to execute the sentence against her; but when her ministers urged her to interpose no more delays, her scruples and her hesitation returned; her humanity could not allow her to embrace such violent and sanguinary measures, and she was touched with compassion for the misfortunes, and with respect for the dignity, of the unhappy prisoner. The courtiers, sensible that they could do nothing more acceptable to her than to employ persuasion on this head, failed not to enforce every motive for the punishment of Mary, and to combat all the objections urged against this act of justice. They said that the treatment of that princess in England had been, on her first reception, such as sound reason and policy required; and if she had been governed by principles of equity, she would not have refused willingly to acquiesce in it; that the obvious inconveniences, either of allowing her to retire into France, or of restoring her by force to her throne, in opposition to the reformers and the English party in Scotland, had obliged the queen to detain her in England till time should offer some opportunity of serving her, without danger to the kingdom or to the Protestant religion; that her usage there had been such as became her rank—her own servants in considerable numbers had been permitted to attend her, exercise had been allowed her for health, and all access of company for amusement, and these indulgences would in

<sup>29</sup> Spotswood, p. 354.



time have been carried further if, by her subsequent conduct, she had appeared worthy of them; that after she had instigated the rebellion of Northumberland, the conspiracy of Norfolk, the bull of excommunication of Pope Pius, an invasion from Flanders; after she had seduced the queen's friends and incited every enemy, foreign and domestic, against her, it became necessary to treat her as a most dangerous rival, and to render her confinement more strict and rigorous; that the queen, notwithstanding these repeated provocations, had, in her favor, rejected the importunity of her parliaments and the advice of her sagest ministers,<sup>30</sup> and was still, in hopes of her amendment, determined to delay coming to the last extremities against her; that Mary, even in this forlorn condition, retained so high and unconquerable a spirit that she acted as competitor to the crown, and allowed her partisans everywhere, and in their very letters addressed to herself, to treat her as Queen of England; that she had carried her animosity so far as to encourage, in repeated instances, the atrocious design of assassinating the queen; and this crime was unquestionably proved upon her by her own letters, by the evidence of her secretaries, and by the dying confession of her accomplices; that she was but a titular queen, and at present possessed nowhere any right of sovereignty, much less in England, where, the moment she set foot in the kingdom, she voluntarily became subject to the laws, and to Elizabeth, the only true sovereign; that, even allowing her to be still the queen's equal in rank and dignity, self-defence was permitted by a law of nature which could never be abrogated; and every one, still more a queen, had sufficient jurisdiction over an enemy who, by open violence, and still more by secret treachery, threatened the utmost danger against her life; that the general combination of the Catholics to exterminate the Protestants was no longer a secret; and as the sole resource of the latter persecuted sect lay in Elizabeth, so the chief hope which the former entertained of final success consisted in the person and in the title of the Queen of Scots; that this very circumstance brought matters to extremity between these princesses, and, rendering the life of one the death of the other, pointed out to Elizabeth the path which either regard to self-preservation or to the happiness of her people should direct her to pursue; and that necessity, more powerful than policy, thus demanded of the queen that

<sup>30</sup> Digges, p. 276. Strype, vol. ii. pp. 48, 135, 136, 139.

resolution which equity would authorize, and which duty prescribed.<sup>31</sup>

When Elizabeth thought that as many importunities had been used, and as much delay interposed as decency required, she at last determined to carry the sentence into execution; but, even in this final resolution, she could not proceed without displaying a new scene of duplicity and artifice. In order to alarm the vulgar, rumors were previously dispersed that the Spanish fleet was arrived at Milford Haven; that the Scots had made an irruption into England; that the Duke of Guise was landed in Sussex with a strong army; that the Queen of Scots was escaped from prison and had raised an army; that the northern counties had begun an insurrection; that there was a new conspiracy on foot to assassinate the queen, and set the city of London on fire; nay, that the queen was actually assassinated.<sup>32</sup> An attempt of this nature was even imputed to L'Aubespine, the French ambassador; and that minister was obliged to leave the kingdom. The queen, affecting to be in terror and perplexity, was observed to sit much alone, pensive and silent; and sometimes to mutter to herself half-sentences, importing the difficulty and distress to which she was reduced.<sup>33</sup> She at last called Davison, a man of parts, but easy to be imposed on, and who had lately, for that very reason, been made secretary, and she ordered him privately to draw a warrant for the execution of the Queen of Scots; which, she afterwards said, she intended to keep by her in case any attempt should be made for the deliverance of that princess. She signed the warrant, and then commanded Davison to carry it to the Chancellor, in order to have the great seal appended to it. Next day she sent Killigrew to Davison, enjoining him to forbear, some time, executing her former orders; and when Davison came and told her that the warrant had already passed the great seal, she seemed to be somewhat moved, and blamed him for his precipitation. Davison, being in a perplexity, acquainted the council with this whole transaction, and they endeavored to persuade him to send off Beale with the warrant; if the queen should be displeased, they promised to justify his conduct and to take on themselves the whole blame of this measure.<sup>34</sup>

<sup>31</sup> Camden, p. 533.

<sup>32</sup> Ibid.

<sup>33</sup> Camden, p. 534.

<sup>34</sup> It appears, by some letters published by Strype, vol. iii. book ii. c. 1. that Elizabeth had not expressly communicated her intention to any of her ministers, not even to Burleigh; they were such experienced courtiers that they knew they could not gratify her more than by serving her without waiting till she desired them.

The secretary, not sufficiently aware of their intention, complied with the advice, and the warrant was despatched to the Earls of Shrewsbury and Kent, and some others, ordering them to see the sentence executed upon the Queen of Scots.

[1587.] The two earls came to Fotheringay Castle, and, being introduced to Mary, informed her of their commission, and desired her to prepare for death next morning at eight o'clock. She seemed nowise terrified, though somewhat surprised with the intelligence. She said, with a cheerful and even a smiling countenance, that she did not think the queen, her sister, would have consented to her death, or have executed the sentence against a person not subject to the laws and jurisdiction of England. "But as such is her will," said she, "death, which puts an end to all my miseries, shall be to me most welcome; nor can I esteem that soul worthy the felicities of heaven which cannot support the body under the horrors of the last passage to those blissful mansions."<sup>35</sup> She then requested the two noblemen that they would permit some of her servants, and particularly her confessor, to attend her; but they told her that compliance with this last demand was contrary to their conscience,<sup>36</sup> and that Dr. Fletcher, Dean of Peterborough, a man of great learning, should be present to instruct her in the principles of true religion. Her refusal to have any conference with this divine inflamed the zeal of the Earl of Kent, and he bluntly told her that her death would be the life of their religion; as, on the contrary, her life would have been the death of it. Mention being made of Babington, she constantly denied his conspiracy to have been at all known to her; and the revenge of her wrongs she resigned into the hands of the Almighty.

When the earls had left her, she ordered supper to be hastened, that she might have the more leisure after it to finish the few affairs which remained to her in this world, and to prepare for her passage to another. It was necessary for her, she said, to take some sustenance, lest a failure of her bodily strength should depress her spirits on the morrow, and lest her behavior should thereby betray a weakness unworthy of herself.<sup>37</sup> She supped sparingly, as her manner usually was, and her wonted cheerfulness did

<sup>35</sup> Camden, p. 534. Jebb, vol. ii. p. 301. MS. in the Advocates' Library, p. 2, from the Cott. Lib. Cal. c. 9.

<sup>36</sup> Jebb, vol. ii. p. 302.

<sup>37</sup> Jebb, vol. ii. p. 489.

not even desert her on this occasion. She comforted her servants under the affliction which overwhelmed them, and which was too violent for them to conceal it from her. Turning to Burgoin, her physician, she asked him whether he did not remark the great and invincible force of truth? "They pretend," said she, "that I must die because I conspire against their queen's life; but the Earl of Kent avowed that there was no other cause of my death than the apprehensions which, if I should live, they entertain for their religion. My constancy in the faith is my real crime; the rest is only a color, invented by interested and designing men." Towards the end of supper she called in all her servants and drank to them. They pledged her, in order, on their knees, and craved her pardon for any past neglect of their duty. She deigned, in return, to ask their pardon for her offences towards them, and a plentiful effusion of tears attended this last solemn farewell and exchange of mutual forgiveness.<sup>38</sup>

Mary's care of her servants was the sole remaining affair which employed her concern. She perused her will, in which she had provided for them by legacies; she ordered the inventory of her goods, clothes, and jewels to be brought her; and she wrote down the names of those to whom she bequeathed each particular. To some she distributed money with her own hands, and she adapted the recompense to their different degrees of rank and merit. She wrote, also, letters of recommendation for her servants to the French king, and to her cousin, the Duke of Guise, whom she made the chief executor of her testament. At her wonted time she went to bed, slept some hours, and then, rising, spent the rest of the night in prayer. Having foreseen the difficulty of exercising the rites of her religion, she had had the precaution to obtain a consecrated host from the hands of Pope Pius; and she had reserved the use of it for this last period of her life. By this expedient she supplied, as much as she could, the want of a priest and confessor, who was refused her.<sup>39</sup>

Towards the morning, she dressed herself in a rich habit of silk and velvet, the only one which she had reserved for herself. She told her maids that she would willingly have left to them this dress rather than the plain garb which she wore the day before; but it was necessary for her to appear at the ensuing solemnity in a decent habit.

<sup>38</sup> Jebb, vol. ii. pp. 302, 626. Camden, p. 534.

<sup>39</sup> Jebb, vol. ii. p. 489.



Thomas Andrews, sheriff of the county, entered the room and informed her that the hour was come, and that he must attend her to the place of execution. She replied that she was ready; and, bidding adieu to her servants, she leaned on two of Sir Amias Paulet's guards, because of an infirmity in her limbs, and she followed the sheriff with a serene and composed countenance. In passing through a hall adjoining to her chamber she was met by the Earls of Shrewsbury and Kent, Sir Amias Paulet, Sir Drue Drury, and many other gentlemen of distinction. Here she also found Sir Andrew Melvil, her steward, who flung himself on his knees before her, and, wringing his hands, cried, "Ah, madam! unhappy me! what man was ever before the messenger of such heavy tidings as I must carry when I shall return to my native country, and shall report that I saw my gracious queen and mistress beheaded in England?" His tears prevented further speech; and Mary, too, felt herself moved more from sympathy than affliction. "Cease, my good servant," she said, "cease to lament! thou hast cause rather to rejoice than to mourn; for now thou shalt see the troubles of Mary Stuart receive their long-expected period and completion. Know," continued she, "good servant, that all the world at best is vanity, and subject still to more sorrow than a whole ocean of tears is able to bewail. But I pray thee carry this message from me—that I die a true woman to my religion, and unalterable in my affections to Scotland and to France. Heaven forgive them that have long desired my end, and have thirsted for my blood as the hart panteth after the water brooks!" "O God," added she, "thou that art the Author of truth, and truth itself, thou knowest the inmost recesses of my heart; thou knowest that I was ever desirous to preserve an entire union between Scotland and England, and to obviate the source of all these fatal discords. But recommend me, Melvil, to my son, and tell him that, notwithstanding all my distresses, I have done nothing prejudicial to the state and kingdom of Scotland." After these words, reclining herself with weeping eyes, and face bedewed with tears, she kissed him. "And so," said she, "good Melvil, farewell! once again farewell, good Melvil! and grant the assistance of thy prayers to thy queen and mistress."<sup>40</sup>

She next turned to the noblemen who attended her, and made a petition in behalf of her servants, that they might

<sup>40</sup> MS. p. 4. Jebb, vol. ii. p. 634. Strype, vol. iii. p. 384.

be well treated, be allowed to enjoy the presents which she had made them, and be sent safely into their own country. Having received a favorable answer, she preferred another request—that they might be permitted to attend her at her death, in order, said she, that their eyes may behold, and their hearts bear witness, how patiently their queen and mistress can submit to her execution, and how constantly she perseveres in her attachment to her religion. The Earl of Kent opposed this desire, and told her that they would be apt, by their speeches and cries, to disturb both herself and the spectators. He was also apprehensive lest they should practise some superstition not meet for him to suffer—such as dipping their handkerchiefs in her blood; for that was the instance which he made use of. “My lord,” said the Queen of Scots, “I will give my word—although it be but dead—that they shall not incur any blame in any of the actions which you have named; but, alas! poor souls! it would be a great consolation to them to bid their mistress farewell. And I hope,” added she, “that your mistress, being a maiden queen, would vouchsafe, in regard of womanhood, that I should have some of my own people about me at my death. I know that her majesty hath not given you any such strict command but that you might grant me a request of far greater courtesy, even though I were a woman of inferior rank to that which I bear.” Finding that the Earl of Kent persisted still in his refusal, her mind, which had fortified itself against the terrors of death, was affected by this indignity, for which she was not prepared. “I am cousin to your queen,” cried she, “and descended from the blood royal of Henry VII., and a married Queen of France, and an anointed Queen of Scotland.” The commissioners, perceiving how invidious their obstinacy would appear, conferred a little together, and agreed that she might carry a few of her servants along with her. She made choice of four men and two maid servants for that purpose.

She then passed into another hall, where was erected the scaffold covered with black; and she saw with an undismayed countenance the executioners, and all the preparations of death. The room was crowded with spectators; and no one was so steeled against all sentiments of humanity as not to be moved when he reflected on her royal dignity, considered the surprising train of her misfortunes, beheld her mild but inflexible constancy, recalled her amiable accomplishments, or surveyed her beauties, which, though

faded by years and yet more by her afflictions, still discovered themselves in this fatal moment. Here the warrant for her execution was read to her; and during this ceremony she was silent, but showed in her behavior an indifference and unconcern as if the business had nowise regarded her. Before the executioners performed their office, the Dean of Peterborough stepped forth; and though the queen frequently told him that he needed not concern himself about her, that she was settled in the ancient Catholic and Roman religion, and that she meant to lay down her life in defence of that faith, he still thought it his duty to persist in his lectures and exhortations, and to endeavor her conversion. The terms which he employed were, under color of pious instructions, cruel insults on her unfortunate situation; and, besides their own absurdity, may be regarded as the most mortifying indignities to which she had ever yet been exposed. He told her that the Queen of England had, on this occasion, shown a tender care of her; and, notwithstanding the punishment justly to be inflicted on her for her manifold trespasses, was determined to use every expedient for saving her soul from that destruction with which it was so nearly threatened; that she was now standing upon the brink of eternity and had no other means of escaping endless perdition than by repenting her former wickedness, by justifying the sentence pronounced against her, by acknowledging the queen's favors, and by exerting a true and lively faith in Christ Jesus; that the Scriptures were the only rule of doctrine, the merits of Christ the only means of salvation. And if she trusted in the inventions or devices of men, she must expect in an instant to fall into utter darkness, into a place where shall be weeping, howling, and gnashing of teeth; that the hand of death was upon her, the axe was laid to the root of the tree, the throne of the great Judge of heaven was erected, the book of her life was spread wide, and the particular sentence and judgment was ready to be pronounced upon her; and that it was now, during this important moment, in her choice either to rise to the resurrection of life and hear that joyful salutation, "Come, ye blessed of my Father," or to share the resurrection of condemnation, replete with sorrow and anguish, and to suffer that dreadful denunciation, "Go, ye cursed, into everlasting fire."<sup>41</sup>

During this discourse, Mary could not sometimes forbear betraying her impatience by interrupting the preacher; and

<sup>41</sup> MS. pp. 8, 9, 10, 11. Strype, vol. iii. p. 385.

the dean, finding that she had profited nothing by his lecture, at last bade her change her opinion, repent her of her former wickedness, and settle her faith upon this ground—that only in Christ Jesus could she hope to be saved. She answered again and again, with great earnestness, “Trouble not yourself any more about the matter, for I was born in this religion, I have lived in this religion, and in this religion I am resolved to die.” Even the two earls perceived that it was fruitless to harass her any further with theological disputes, and they ordered the dean to desist from his unseasonable exhortations and to pray for her conversion. During the dean’s prayer, she employed herself in private devotion from the Office of the Virgin; and after he had finished she pronounced aloud some petitions in English—for the afflicted Church, for an end of her own troubles, for her son, and for Queen Elizabeth; and prayed God that that princess might long prosper and be employed in his service. The Earl of Kent observing that in her devotions she made frequent use of the crucifix, could not forbear reproving her for her attachment to that popish trumpery, as he termed it; and he exhorted her to have Christ in her heart, not in her hand.<sup>42</sup> She replied, with presence of mind, that it was difficult to hold such an object in her hand without feeling her heart touched with some compunction.<sup>43</sup>

She now began, with the aid of her two women, to disrobe herself; and the executioner also lent his hand to assist them. She smiled, and said that she was not accustomed to undress herself before so large a company nor to be served by such valets. Her servants, seeing her in this condition, ready to lay her head upon the block, burst into tears and lamentations. She turned about to them, put her finger upon her lips as a sign of imposing silence upon them;<sup>44</sup> and having given them her blessing, desired them to pray for her. One of her maids, whom she had appointed for that purpose, covered her eyes with her handkerchief; she laid herself down without any sign of fear or trepidation, and her head was severed from her body at two strokes by the executioner. He instantly held it up to the spectators streaming with blood, and agitated with the convulsions of death. The Dean of Peterborough alone exclaimed, “So perish all Queen Elizabeth’s enemies!” The Earl of Kent alone replied, “Amen!” The attention of all the other

<sup>42</sup> MS. p. 15. Jebb, vol. ii. pp. 307, 491, 637.

<sup>44</sup> Jebb, vol. ii. pp. 307, 492.

<sup>43</sup> Jebb, *ibid.*



spectators was fixed on the melancholy scene before them ; and zeal and flattery alike gave place to present pity and admiration of the expiring princess.

Thus perished in the forty-fifth year of her age and nineteenth of her captivity in England, Mary Queen of Scots, a woman of great accomplishments both of body and mind, natural as well as acquired, but unfortunate in her life, and during one period very unhappy in her conduct. The beauties of her person and graces of her air combined to make her the most amiable of women ; and the charms of her address and conversation aided the impression which her lovely figure made on the hearts of all beholders. Ambitious and active in her temper, yet inclined to cheerfulness and society ; of a lofty spirit ; constant and even vehemence in her purpose, yet polite and gentle and affable in her demeanor, she seemed to partake only so much of the male virtues as to render her estimable, without relinquishing those soft graces which compose the proper ornament of her sex. In order to form a just idea of her character, we must set aside one part of her conduct while she abandoned herself to the guidance of a profligate man ; and must consider these faults, whether we admit them to be imprudences or crimes, as the result of an inexplicable, though not uncommon, inconstancy in the human mind—of the frailty of our nature, of the violence of passion, and of the influence which situations, and sometimes momentary incidents, have on persons whose principles are not thoroughly confirmed by experience and reflection. Enraged by the ungrateful conduct of her husband ; seduced by the treacherous counsels of one in whom she reposed confidence ; transported by the violence of her own temper, which never lay sufficiently under the guidance of discretion, she was betrayed into actions which may with some difficulty be accounted for, but which admit of no apology, nor even of alleviation. An enumeration of her qualities might carry the appearance of a panegyric ; an account of her conduct must in some parts wear the aspect of severe satire and invective.

Her numerous misfortunes, the solitude of her long and tedious captivity, and the persecutions to which she had been exposed on account of her religion, had wrought her up to a degree of bigotry during her later years ; and such were the prevalent spirit and principles of the age that it is the less wonder if her zeal, her resentment, and her interest, uniting, induced her to give consent to a design which con-

spirators, actuated only by the first of these motives, had formed against the life of Elizabeth.

When the queen was informed of Mary's execution, she affected the utmost surprise and indignation. Her countenance changed; her speech faltered and failed her; for a long time her sorrow was so deep that she could not express it, but stood fixed like a statue in silence and mute astonishment. After her grief was able to find vent, it burst out into loud wailings and lamentations; she put herself in deep mourning for this deplorable event; and she was seen perpetually bathed in tears, and surrounded only by her maids and women. None of her ministers or councillors dared to approach her; or if any had such temerity, she chased them from her with the most violent expressions of rage and resentment. They had all of them been guilty of an unpardonable crime in putting to death her dear sister and kinswoman, contrary to her fixed purpose,<sup>45</sup> of which they were sufficiently apprised and acquainted.

No sooner was her sorrow so much abated as to leave room for reflection than she wrote a letter of apology to the King of Scots, and sent it by Sir Robert Cary, son of Lord Hunsdon. She there told him that she wished he knew, but not felt, the unutterable grief which she experienced on account of that lamentable accident which, without her knowledge, much less concurrence, had happened in England; that as her pen trembled when she attempted to write it, she found herself obliged to commit the relation of it to the messenger, her kinsman, who would likewise inform his majesty of every circumstance attending this dismal and unlooked-for misfortune; that she appealed to the Supreme Judge of heaven and earth for her innocence, and was also so happy, amid her own afflictions, as to find that many persons in her court could bear witness to her veracity in this protestation; that she abhorred dissimulation; deemed nothing more worthy of a prince than a sincere and open conduct; and could never surely be esteemed so base and poor-spirited as that, if she had really given orders for this fatal execution, she could on any consideration be induced to deny them; that, though sensible of the justice of the sentence pronounced against the unhappy prisoner, she determined, from clemency, never to carry it into execution, and could not but resent the temerity of those who on this occasion had disappointed her intention; and that as no one

<sup>45</sup> Camden, p. 536. Strype, vol. iii. Appendix, p. 145. Jebb, vol. ii. p. 608.

loved him more dearly than herself, or bore a more anxious concern for his welfare, she hoped that he would consider every one as his enemy who endeavored, on account of the present incident, to excite any animosity between them.<sup>46</sup>

In order the better to appease James, she committed Davison to prison, and ordered him to be tried in the Star-chamber for his misdemeanor. The secretary was confounded; and, being sensible of the danger which must attend his entering into a contest with the queen, he expressed penitence for his error, and submitted very patiently to be railed at by those very councillors whose persuasion had induced him to incur the guilt, and who had promised to countenance and protect him. He was condemned to imprisonment during the queen's pleasure, and to pay a fine of ten thousand pounds. He remained a long time in custody, and the fine, though it reduced him to beggary, was rigorously levied upon him. All the favor which he could obtain from the queen was sending him small supplies from time to time to keep him from perishing in necessity.<sup>47</sup> He privately wrote an apology to his friend Walsingham, which contains many curious particulars. The French and Scotch ambassadors, he said, had been remonstrating with the queen in Mary's behalf; and, immediately after their departure, she commanded him, of her own accord, to deliver her the warrant for the execution of that princess. She signed it readily, and ordered it to be sealed with the great seal of England. She appeared in such good humor on the occasion that she said to him, in a jocular manner, "Go, tell all this to Walsingham, who is now sick, though I fear he will die of sorrow when he hears of it." She added that though she had so long delayed the execution, lest she should seem to be actuated by malice or cruelty, she was all along sensible of the necessity of it. In the same conversation she blamed Drury and Paulet that they had not before eased her of this trouble; and she expressed her desire that Walsingham would bring them to compliance in that particular. She was so bent on this purpose that, some time after, she asked Davison whether any letter had come from Paulet with regard to the service expected of him? Davison showed her Paulet's letter, in which that gentleman positively refused to act anything inconsistent with the principles of honor and justice. The queen fell into a passion, and accused Paulet as well as Drury of perjury; because, having

<sup>46</sup> Camden, p. 536. Spotswood, p. 358.

<sup>47</sup> Camden, p. 538.

taken the oath of association, in which they had bound themselves to avenge her wrongs, they had yet refused to lend their hand on this occasion. "But others," she said, "will be found less scrupulous." Davison adds that nothing but the consent and exhortations of the whole council could have engaged him to send off the warrant. He was well aware of his danger, and remembered that the queen, after having ordered the execution of the Duke of Norfolk, had endeavored, in a like manner, to throw the whole blame and odium of that action upon Lord Burleigh.<sup>48</sup>

Elizabeth's dissimulation was so gross that it could deceive nobody who was not previously resolved to be blinded; but as James's concern for his mother was certainly more sincere and cordial, he discovered the highest resentment, and refused to admit Cary into his presence. He recalled his ambassadors from England, and seemed to breathe nothing but war and vengeance. The states of Scotland, being assembled, took part in his anger, and professed that they were ready to spend their lives and fortunes in revenge of his mother's death, and in defence of his title to the crown of England. Many of the nobility instigated him to take arms. Lord Sinclair, when the courtiers appeared in deep mourning, presented himself to the king arrayed in complete armor, and said that this was the proper mourning for the queen. The Catholics took the opportunity of exhorting James to make an alliance with the King of Spain, to lay immediate claim to the crown of England, and to prevent the ruin which, from his mother's example, he might conclude would certainly, if Elizabeth's power prevailed, overwhelm his person and his kingdom. The queen was sensible of the danger attending these counsels; and, after allowing James some decent interval to vent his grief and anger, she employed her emissaries to pacify him, and to set before him every motive of hope or fear which might induce him to live in amity with her.

Walsingham wrote to Lord Thirlstone, James's secretary, a judicious letter to the same purpose. He said that he was much surprised to hear of the violent resolutions taken in Scotland, and of the passion discovered by a prince of so much judgment and temper as James; that a war founded merely on the principle of revenge, and that too on account of an act of justice which necessity had extorted, would for-

<sup>48</sup> Camden, p. 538. Strype, vol. ii. pp. 375, 376. MS. in the Advocates' Library A. 3, 28, p. 17. From the Cott. Lib. Cal. c. 9. Biogr. Brit. pp. 1625, 1627.



ever be exposed to censure, and could not be excused by any principles of equity or reason; that if these views were deemed less momentous among princes, policy and interest ought certainly to be attended to, and these motives did still more evidently oppose all thoughts of a rupture with Elizabeth, and all revival of exploded claims to the English throne; that the inequality between the two kingdoms deprived James of any hopes of success, if he trusted merely to the force of his own state, and had no recourse to foreign powers for assistance; that the objections attending the introduction of succors from a more potent monarch appeared so evident, from all the transactions of history, that they could not escape a person of the king's extensive knowledge; but there were, in the present case, several peculiar circumstances which ought forever to deter him from having recourse to so dangerous an expedient; that the French monarch, the ancient ally of Scotland, might willingly use the assistance of that kingdom against England, but would be displeased to see the union of these two kingdoms in the person of James—a union which would ever after exclude him from practising that policy, formerly so useful to the French and so pernicious to the Scottish nation; that Henry, besides, infested with faction and domestic war, was not in a condition of supporting distant allies, much less would he expose himself to any hazard or expense in order to aggrandize a near kinsman of the house of Guise, the most determined enemies of his repose and authority; that the extensive power and exorbitant ambition of the Spanish monarch rendered him a still more dangerous ally to Scotland, and as he evidently aspired to a universal monarchy in the West, and had in particular advanced some claims to England as if he were descended from the house of Lancaster, he was at the same time the common enemy of all princes who wished to maintain their independence, and the immediate rival and competitor of the King of Scots; that the queen, by her own naval power and her alliance with the Hollanders, would probably intercept all succors which might be sent to James from abroad, and be enabled to decide the controversy in this island with the superior forces of her own kingdom opposed to those of Scotland; that if the king revived his mother's pretensions to the crown of England, he must also embrace her religion, by which alone they could be justified, and must thereby undergo the infamy of abandoning those principles in which

he had been strictly educated, and to which he had hitherto religiously adhered; that as he would, by such an apostasy, totally alienate all the Protestants in Scotland and England, he could never gain the confidence of the Catholics, who would still entertain reasonable doubts of his sincerity; that by advancing a present claim to the crown he forfeited the certain prospect of his succession, and revived that national animosity which the late peace and alliance between the kingdoms had happily extinguished; that the whole gentry and nobility of England had openly declared themselves for the execution of the Queen of Scots, and if James showed such violent resentment against that act of justice, they would be obliged, for their own security, to prevent forever so implacable a prince from ruling over them; and that, however some persons might represent his honor as engaged to seek vengeance for the present affront and injury, the true honor of a prince consisted in wisdom and moderation and justice, not in following the dictates of blind passion, or in pursuing revenge at the expense of every motive and every interest.<sup>49</sup> These considerations, joined to the peaceable, unambitious temper of the young prince, prevailed over his resentment, and he fell gradually into a good correspondence with the court of England. It is probable that the queen's chief object in her dissimulation with regard to the execution of Mary was that she might thereby afford James a decent pretence for renewing his amity with her, on which their mutual interests so much depended.

While Elizabeth insured tranquillity from the attempts of her nearest neighbor, she was not negligent of more distant dangers. Hearing that Philip, though he seemed to dissemble the daily insults and injuries which he received from the English, was secretly preparing a great navy to attack her, she sent Sir Francis Drake with a fleet to intercept his supplies, to pillage his coast, and to destroy his shipping. Drake carried out four capital ships of the queen's and twenty-six great and small, with which the London merchants, in hopes of sharing in the plunder, had supplied him. Having learned from two Dutch ships, which he met with in his passage, that a Spanish fleet, richly laden, was lying at Cadiz, ready to set sail for Lisbon, the rendezvous of the intended Armada, he bent his course to the former harbor, and boldly as well as fortunately made an attack on

<sup>49</sup> Strype, vol. iii. p. 377. Spotswood.

the enemy. He obliged six galleys which made head against him to take shelter under the forts, he burned about a hundred vessels laden with ammunition and naval stores, and he destroyed a great ship of the Marquis of Santa Croce. Thence he set sail for Cape St. Vincent, and took by assault the castle situated on that promontory, with three other fortresses. He next insulted Lisbon, and finding that the merchants, who had engaged entirely in expectation of profit, were discontented at these military enterprises, he set sail for the Terceras, with an intention of lying in wait for a rich carrack which was expected in those parts. He was so fortunate as to meet with his prize; and by this short expedition, in which the public bore so small a share, the adventurers were encouraged to attempt further enterprises, the English seamen learned to despise the great unwieldy ships of the enemy, the naval preparations of Spain were destroyed, the intended expedition against England was retarded a twelvemonth, and the queen thereby had leisure to take more secure measures against that formidable invasion.<sup>50</sup>

This year Thomas Cavendish, a gentleman of Devonshire, who had dissipated a good estate by living at court, being resolved to repair his fortune at the expense of the Spaniards, fitted out three ships at Plymouth, one of a hundred and twenty tons, another of sixty, and a third of forty; and with these small vessels he ventured into the South Sea, and committed great depredations on the Spaniards. He took nineteen vessels, some of which were richly laden, and, returning by the Cape of Good Hope, he came to London, and entered the river in a kind of triumph. His mariners and soldiers were clothed in silk, his sails were of damask, his top-sail cloth of gold; and his prizes were esteemed the richest that ever had been brought into England.<sup>51</sup>

The land enterprises of the English were not, during this campaign, so advantageous or honorable to the nation. The important place of Deventer was intrusted by Leicester to William Stanley, with a garrison of twelve hundred English; and this gentleman, being a Catholic, was alarmed at the discovery of Babington's conspiracy, and became apprehensive lest every one of his religion should thenceforth be treated with distrust in England. He entered into a correspondence with the Spaniards, betrayed the city to them for a sum of money, and engaged the whole garrison

<sup>50</sup> Camden, p. 540. Sir William Monson's *Naval Tracts*, in Churchill's *Voyages*, vol. iii. p. 156.

<sup>51</sup> Birch's *Memoirs*, vol. i. p. 57.

to desert with him to the Spanish service. Roland York, who commanded a fort near Zutphen, imitated his example; and the Hollanders, formerly disgusted with Leicester, and suspicious of the English, broke out into loud complaints against the improvidence, if not the treachery, of his administration. Soon after, he himself arrived in the Low Countries, but his conduct was nowise calculated to give them satisfaction or to remove the suspicions which they had entertained against him. The Prince of Parma having besieged Sluys, Leicester attempted to relieve the place, first by sea, then by land, but failed in both enterprises; and as he ascribed his bad success to the ill-behavior of the Hollanders, they were equally free in reflections upon his conduct. The breach between them became wider every day. They slighted his authority, opposed his measures, and neglected his counsels, while he endeavored, by an imperious behavior and by violence, to recover that influence which he had lost by his imprudent and ill-concerted measures. He was even suspected by the Dutch of a design to usurp upon their liberties, and the jealousy entertained against him began to extend towards the queen herself. That princess had made some advances towards a peace with Spain. A congress had been opened at Bourbourg, a village near Gravelines; and though the two courts, especially that of Spain, had no other intention than to amuse each of them its enemy by negotiation, and mutually relax the preparations for defence or attack, the Dutch, who were determined on no terms to return under the Spanish yoke, became apprehensive lest their liberty should be sacrificed to the political interests of England.<sup>52</sup> But the queen, who knew the importance of her alliance with the States during the present conjuncture, was resolved to give them entire satisfaction by recalling Leicester and commanding him to resign his government. Maurice, son of the late Prince of Orange, a youth of twenty years of age, was elected by the States governor in his place; and Peregrine Lord Willoughby was appointed by the queen commander of the English forces. The measures of these two generals were much embarrassed by the malignity of Leicester, who had left a faction behind him, and who still attempted, by means of his emissaries, to disturb all the operations of the States. As soon as Elizabeth received intelligence of these disorders, she took care to redress them; and she obliged all the partisans of England to fall into

<sup>52</sup> Bentivoglio, part ii. lib. 4. Strype, vol. iv. No. 246.



unanimity with Prince Maurice.<sup>53</sup> But though her good sense so far prevailed over her partiality to Leicester, she never could be made fully sensible of his vices and incapacity. The submissions which he made her restored him to her wonted favor; and Lord Buckhurst, who had accused him of misconduct in Holland, lost her confidence for some time and was even committed to custody.

Sir Christopher Hatton was another favorite who at this time received some marks of her partiality. Though he had never followed the profession of the law, he was made chancellor in the place of Bromley, deceased; but, notwithstanding all the expectations and perhaps wishes of the lawyers, he behaved in a manner not unworthy of that high station; his good natural capacity supplied the place of experience and study, and his decisions were not found deficient either in point of equity or judgment. His enemies had contributed to this promotion, in hopes that his absence from court while he attended the business of chancery would gradually estrange the queen from him and give them an opportunity of undermining him in her favor.

[1588.] These little intrigues and cabals of the court were silenced by the account, which came from all quarters, of the vast preparations made by the Spaniards for the invasion of England, and for the entire conquest of that kingdom. Philip, though he had not yet declared war, on account of the hostilities which Elizabeth everywhere committed upon him, had long harbored a secret and violent desire of revenge against her. His ambition, also, and the hopes of extending his empire, were much encouraged by the present prosperous state of his affairs; by the conquest of Portugal, the acquisition of the East Indian commerce and settlements, and the yearly importation of vast treasures from America. The point on which he rested his highest glory, the perpetual object of his policy, was to support orthodoxy and exterminate heresy; and as the power and credit of Elizabeth were the chief bulwark of the Protestants, he hoped, if he could subdue that princess, to acquire the eternal renown of reuniting the whole Christian world in the Catholic communion. Above all, his indignation against his revolted subjects in the Netherlands instigated him to attack the English, who had encouraged that insurrection, and who, by their vicinity, were so well enabled to support the Hollanders that he could never hope to reduce these

<sup>53</sup> Rymer, vol. xv. p. 66.

rebels while the power of that kingdom remained entire and unbroken. To subdue England seemed a necessary preparative to the re-establishment of his authority in the Netherlands; and, notwithstanding appearances, the former was in itself, as a more important, so a more easy undertaking than the latter. That kingdom lay nearer Spain than the Low Countries, and was more exposed to invasions from that quarter; after an enemy had once obtained entrance, the difficulty seemed to be over, as it was neither fortified by art nor nature; a long peace had deprived it of all military discipline and experience; and the Catholics, in which it still abounded, would be ready, it was hoped, to join any invader who should free them from those persecutions under which they labored, and should revenge the death of the Queen of Scots, on whom they had fixed all their affections. The fate of England must be decided in one battle at sea and another at land; and what comparison between the English and Spaniards, either in point of naval force, or in the numbers, reputation, and veteran bravery of their armies? Besides the acquisition of so great a kingdom, success against England insured the immediate subjection of the Hollanders, who, attacked on every hand and deprived of all support, must yield their stubborn necks to that yoke which they had so long resisted. Happily this conquest, as it was of the utmost importance to the grandeur of Spain, would not at present be opposed by the jealousy of other powers, naturally so much interested to prevent the success of the enterprise. A truce was lately concluded with the Turks; the empire was in the hands of a friend and nearly; and France, the perpetual rival of Spain, was so torn with intestine commotions that she had no leisure to pay attention to her foreign interests. This favorable opportunity, therefore, which might never again present itself, must be seized, and one bold effort made for acquiring that ascendant in Europe to which the present greatness and prosperity of the Spaniards seemed so fully to entitle them.<sup>54</sup>

These hopes and motives engaged Philip, notwithstanding his cautious temper, to undertake this hazardous enterprise; and though the prince, now created, by the pope, Duke of Parma, when consulted, opposed the attempt—at least, represented the necessity of previously getting possession of some seaport town in the Netherlands which might afford a retreat to the Spanish navy<sup>55</sup>—it was determined

<sup>54</sup> Camden. Strype, vol. iii. p. 512.

<sup>55</sup> Bentivoglio, part ii. lib. 4.

by the Catholic monarch to proceed immediately to the execution of this ambitious project. During some time he had been secretly making preparations; but as soon as the resolution was fully taken, every part of his vast empire resounded with the noise of armaments, and all his ministers, generals, and admirals were employed in forwarding the design. The Marquis of Santa Croce, a sea officer of great reputation and experience, was destined to command the fleet; and by his counsels were the naval equipments conducted. In all the ports of Sicily, Naples, Spain, and Portugal, artisans were employed in building vessels of uncommon size and force; naval stores were bought at great expense; provisions amassed; armies levied and quartered in the maritime towns of Spain; and plans laid for fitting out such a fleet and embarkation as had never before had its equal in Europe. The military preparations in Flanders were no less formidable. Troops from all quarters were every moment assembling to reinforce the Duke of Parma. Capizuchi and Spinelli conducted forces from Italy; the Marquis of Borgaut, a prince of the house of Austria, levied troops in Germany; the Walloon and Burgundian regiments were completed or augmented; the Spanish infantry was supplied with recruits; and an army of thirty-four thousand men was assembled in the Netherlands, and kept in readiness to be transported into England. The Duke of Parma employed all the carpenters whom he could procure either in Flanders or in Lower Germany and the coasts of the Baltic; and he built at Dunkirk and Newport, but especially at Antwerp, a great number of boats and flat-bottomed vessels, for the transporting of his infantry and cavalry. The most renowned nobility and princes of Italy and Spain were ambitious of sharing in the honor of this great enterprise. Don Amadaeus of Savoy, Don John of Medicis, Vespasian Gonzaga (Duke of Sabionetta), and the Duke of Pastrada hastened to join the army under the Duke of Parma. About two thousand volunteers in Spain, many of them men of family, had enlisted in the service. No doubts were entertained but such vast preparations, conducted by officers of such consummate skill, must finally be successful. And the Spaniards, ostentatious of their power and elated with vain hopes, had already denominated their navy the *Invincible Armada*.

News of these extraordinary preparations soon reached the court of London; and, notwithstanding the secrecy of

the Spanish council, and their pretending to employ this force in the Indies, it was easily concluded that they meant to make some effort against England. The queen had foreseen the invasion, and, finding that she must now contend for her crown with the whole force of Spain, she made preparations for resistance; nor was she dismayed with that power, by which all Europe apprehended she must of necessity be overwhelmed. Her force indeed seemed very unequal to resist so potent an enemy. All the sailors in England amounted at that time to about fourteen thousand men.<sup>56</sup> The size of the English shipping was in general so small that, except a few of the queen's ships of war, there were not four vessels belonging to the merchants which exceeded four hundred tons.<sup>57</sup> The royal navy consisted only of twenty-eight sail,<sup>58</sup> many of which were of small size; none of them exceeded the bulk of our largest frigates, and most of them deserved rather the name of pinnaces than of ships. The only advantage of the English fleet consisted in the dexterity and courage of the seamen, who, being accustomed to sail in tempestuous seas and expose themselves to all dangers, as much exceeded in this particular the Spanish mariners as their vessels were inferior in size and force to those of that nation.<sup>59</sup> All the commercial towns of England were required to furnish ships for reinforcing this small navy; and they discovered on the present occasion great alacrity in defending their liberty and religion against those imminent perils with which they were menaced. The citizens of London, in order to show their zeal in the common cause, instead of fifteen vessels which they were commanded to equip, voluntarily fitted out double the number.<sup>60</sup> The gentry and nobility hired and armed and manned forty-three ships at their own charge; <sup>61</sup> and all the loans of money which the queen demanded were frankly granted by the persons applied to. Lord Howard of Effingham, a man of courage and capacity, was admiral, and took on him the command of the navy; Drake, Hawkins, and Frobisher, the most renowned seamen in Europe, served under him. The principal fleet was stationed at Plymouth. A smaller squadron, consisting of forty vessels, English and Flemish, was commanded by Lord Seymour, second son of Protector Somerset; and lay off Dunkirk, in order to intercept the Duke of Parma.

<sup>56</sup> Monson, p. 256.

<sup>58</sup> Monson, p. 157.

<sup>60</sup> Monson, p. 267.

<sup>57</sup> Monson, p. 268.

<sup>59</sup> Monson, p. 321.

<sup>61</sup> *Lives of the Admirals*, vol. i. p. 451.



The land forces of England, compared to those of Spain, possessed contrary qualities to its naval power; they were more numerous than the enemy, but much inferior in discipline, reputation, and experience. An army of twenty thousand men was disposed in different bodies along the south coast, and orders were given them, if they could not prevent the landing of the Spaniards, to retire backwards, to waste the country around, and to wait for reinforcements from the neighboring counties before they approached the enemy. A body of twenty-two thousand foot and a thousand horse, under the command of the Earl of Leicester, was stationed at Tilbury, in order to defend the capital. The principal army consisted of thirty-four thousand foot and two thousand horse, and was commanded by Lord Hunsdon. These forces were reserved for guarding the queen's person, and were appointed to march whithersoever the enemy should appear. The fate of England, if all the Spanish armies should be able to land, seemed to depend on the issue of a single battle; and men of reflection entertained the most dismal apprehensions when they considered the force of fifty thousand veteran Spaniards, commanded by experienced officers, under the Duke of Parma, the most consummate general of the age; and compared this formidable armament with the military power which England, not enervated by peace, but long disused to war, could muster against it.

The chief support of the kingdom seemed to consist in the vigor and prudence of the queen's conduct; who, undismayed by the present dangers, issued all her orders with tranquillity, animated her people to a steady resistance, and employed every resource which either her domestic situation or her foreign alliances could afford her. She sent Sir Robert Sidney into Scotland, and exhorted the king to remain attached to her, and to consider the danger which at present menaced his sovereignty no less than her own, from the ambition of the Spanish tyrant.<sup>62</sup> The ambassador found James well disposed to cultivate a union with England; and that prince even kept himself prepared to march with the force of his whole kingdom to the assistance of Elizabeth. Her authority with the King of Denmark, and the tie of their common religion, engaged this monarch,

<sup>62</sup> She made him some promises which she never fulfilled—to give him a dukedom in England with suitable lands and revenue, to settle £5,000 a year on him, and pay him a guard for the safety of his person. From a MS. of Lord Royston's.

upon her application, to seize a squadron of ships, which Philip had bought or hired, in the Danish harbors.<sup>63</sup> The Hanse towns, though not at that time on good terms with Elizabeth, were induced by the same motives to retard so long the equipment of some vessels in their ports that they became useless to the purpose of invading England. All the Protestants throughout Europe regarded this enterprise as the critical event which was to decide forever the fate of their religion; and though unable, by reason of their distance, to join their force to that of Elizabeth, they kept their eyes fixed on her conduct and fortune, and beheld with anxiety, mixed with admiration, the intrepid countenance with which she encountered that dreadful tempest which was every moment advancing towards her.

The queen also was sensible that, next to the general popularity which she enjoyed, and the confidence which her subjects reposed in her prudent government, the firmest support of her throne consisted in the general zeal of the people for the Protestant religion, and the strong prejudices which they had imbibed against popery. She took care, on the present occasion, to revive in the nation this attachment to their own sect, and this abhorrence of the opposite. The English were reminded of their former danger from the tyranny of Spain; all the barbarities exercised by Mary against the Protestants were ascribed to the counsels of that bigoted and imperious nation; the bloody massacres in the Indies, the unrelenting executions in the Low Countries, the horrid cruelties and iniquities of the Inquisition, were set before men's eyes; a list and description were published, and pictures dispersed of the several instruments of torture with which it was pretended the Spanish Armada was loaded; and every artifice as well as reason was employed to animate the people to a vigorous defence of their religion, their laws, and their liberties.

But while the queen, in this critical emergency, roused the animosity of the nation against popery, she treated the partisans of that sect with moderation, and gave not way to an undistinguishing fury against them. Though she knew that Sixtus Quintus, the present pope, famous for his capacity and his tyranny, had fulminated a new bull of excommunication against her, had deposed her, had absolved her subjects from their oaths of allegiance, had published a crusade against England, and had granted plenary indul-

<sup>63</sup> Strype, vol. iij. p. 524.

gences to every one engaged in the present invasion, she would not believe that all her Catholic subjects could be so blinded as to sacrifice to bigotry their duty to their sovereign, and the liberty and independence of their native country. She rejected all violent counsels, by which she was urged to seek pretences for despatching the leaders of that party; she would not even confine any considerable number of them; and the Catholics, sensible of this good usage, generally expressed great zeal for the public service. Some gentlemen of that sect, conscious that they could not justly expect any trust or authority, entered themselves as volunteers in the fleet or army;<sup>64</sup> some equipped ships at their own charge, and gave the command of them to Protestants; others were active in animating their tenants and vassals and neighbors to the defence of their country; and every rank of men, burying for the present all party distinctions, seemed to prepare themselves with order as well as vigor to resist the violence of these invaders.

The more to excite the martial spirit of the nation, the queen appeared on horseback in the camp at Tilbury; and riding through the lines, discovered a cheerful and animated countenance, exhorted the soldiers to remember their duty to their country and their religion, and professed her intention, though a woman, to lead them herself into the field against the enemy, and rather to perish in battle than survive the ruin and slavery of her people.<sup>65</sup> By this spirited behavior, she revived the tenderness and admiration of the soldiery; an attachment to her person became a kind of enthusiasm among them; and they asked one another whether it were possible that Englishmen could abandon this glorious cause, could display less fortitude than appeared in the female sex, or could ever by any dangers be induced to relinquish the defence of their heroic princess.

The Spanish Armada was ready in the beginning of May; but the moment it was preparing to sail, the Marquis of Santa Croce, the admiral, was seized with a fever, of which he soon after died. The vice-admiral, the Duke of Paliano, by a strange concurrence of accidents, at the very same time suffered the same fate; and the king appointed for admiral the Duke of Medina Sidonia, a nobleman of great family, but inexperienced in action, and entirely unacquainted with sea-affairs. Alcarede was appointed vice-admiral. This misfortune, besides the loss of

<sup>64</sup> Stowe, p. 747.

<sup>65</sup> See note [LL] at the end of the volume.

so great an officer as Santa Croce, retarded the sailing of the Armada, and gave the English more time for their preparations to oppose them. At last the Spanish fleet, full of hopes and alacrity, set sail from Lisbon; but next day met with a violent tempest, which scattered the ships, sank some of the smallest, and forced the rest to take shelter in the Groine, where they waited till they could be refitted. When news of this event was carried to England, the queen concluded that the design of an invasion was disappointed for this summer; and, being always ready to lay hold on every pretence for saving money, she made Walsingham write to the admiral, directing him to lay up some of the larger ships, and to discharge the seamen. But Lord Effingham, who was not so sanguine in his hopes, used the freedom to disobey these orders; and he begged leave to retain all the ships in service, though it should be at his own expense.<sup>66</sup> He took advantage of a north wind, and sailed towards the coast of Spain, with an intention of attacking the enemy in their harbors; but the wind changing to the south, he became apprehensive lest they might have set sail, and, by passing him at sea, invade England, now exposed by the absence of the fleet. He returned, therefore, with the utmost expedition to Plymouth, and lay at anchor in that harbor.

Meanwhile, all the damages of the Armada were repaired; and the Spaniards with fresh hopes set out again to sea in prosecution of their enterprise. The fleet consisted of a hundred and thirty vessels, of which near a hundred were galleons, and were of greater size than any ever before used in Europe. It carried on board nineteen thousand two hundred and ninety-five soldiers, eight thousand four hundred and fifty-six mariners, two thousand and eighty-eight galley slaves, and two thousand six hundred and thirty great pieces of brass ordnance. It was victualled for six months, and was attended by twenty lesser ships called caravels, and ten slaves with six oars apiece.<sup>67</sup>

The plan formed by the King of Spain was that the Armada should sail to the coast opposite to Dunkirk and Newport; and having chased away all English or Flemish vessels which might obstruct the passage (for it never was supposed they could make opposition) should join themselves with the Duke of Parma, should thence make sail to the Thames, and, having landed the whole Spanish army,

<sup>66</sup> Camden, p. 545.

<sup>67</sup> Strype, vol. iii. Appendix, p. 221.



thus complete at one blow the entire conquest of England. In prosecution of this scheme, Philip gave orders to the Duke of Medina that, in passing along the Channel, he should sail as near the coast of France as he could with safety; that he should by this policy avoid meeting with the English fleet; and, keeping in view the main enterprise, should neglect all smaller successes, which might prove an obstacle, or even interpose a delay to the acquisition of a kingdom.<sup>68</sup> After the Armada was under sail, they took a fisherman, who informed them that the English admiral had been lately at sea, had heard of the tempest which scattered the Armada, had retired back into Plymouth, and, no longer expecting an invasion this season, had laid up his ships and discharged most of the seamen. From this false intelligence the Duke of Medina conceived the great facility of attacking and destroying the English ships in harbor; and he was tempted by the prospect of so decisive an advantage to break his orders, and make sail directly for Plymouth, a resolution which proved the safety of England. The Lizard was the first land made by the Armada, about sunset; and as the Spaniards took it for the Ram-head, near Plymouth, they bore out to sea with an intention of returning next day and attacking the English navy. They were descried by Fleming, a Scottish pirate, who was roving in those seas, and who immediately set sail to inform the English admiral of their approach<sup>69</sup>—another fortunate event, which contributed extremely to the safety of the fleet. Effingham had just time to get out of port, when he saw the Spanish Armada coming full sail towards him, disposed in the form of a crescent, and stretching the distance of seven miles from the extremity of one division to that of the other.

The writers of that age raise their style by a pompous description of this spectacle, the most magnificent that had ever appeared upon the ocean, infusing equal terror and admiration into the minds of all beholders. The lofty masts, the swelling sails, and the towering prows of the Spanish galleons seem impossible to be justly painted but by assuming the colors of poetry; and an eloquent historian of Italy, in imitation of Camden, has asserted that the Armada, though the ships bore every sail, yet advanced with a slow motion, as if the ocean groaned with supporting and the winds were tired with impelling so enormous a weight.<sup>70</sup>

<sup>68</sup> Monson, p. 157.<sup>69</sup> Monson, p. 158.<sup>70</sup> Bentivoglio, part ii. lib. 4.

The truth, however, is, that the largest of the Spanish vessels would scarcely pass for third-rates in the present navy of England; yet were they so ill framed or so ill governed that they were quite unwieldy, and could not sail upon a wind, nor tack on occasion, nor be managed in stormy weather by the seamen. Neither the mechanics of ship-building nor the experience of mariners had attained so great perfection as could serve for the security and government of such bulky vessels; and the English who had already had experience how unserviceable they commonly were, beheld without dismay their tremendous appearance.

Effingham gave orders not to come to close fight with the Spaniards, where the size of the ships, he suspected, and the numbers of the soldiers would be a disadvantage to the English; but to cannonade them at a distance, and to wait the opportunity which winds, currents, or various accidents must afford him of intercepting some scattered vessels of the enemy. Nor was it long before the event answered expectation. A great ship of Biscay, on board of which was a considerable part of the Spanish money, took fire by accident; and while all hands were employed in extinguishing the flames, she fell behind the rest of the Armada. The great galleon of Andalusia was detained by the springing of her mast; and both these vessels were taken, after some resistance, by Sir Francis Drake. As the Armada advanced up the Channel, the English hung upon its rear, and still inflicted it with skirmishes. Each trial abated the confidence of the Spaniards and added courage to the English; and the latter soon found that even in close fight the size of the Spanish ships was no advantage to them. Their bulk exposed them the more to the fire of the enemy; while their cannon, placed too high, shot over the heads of the English. The alarm having now reached the coast of England, the nobility and gentry hastened out with their vessels from every harbor and reinforced the admiral. The Earls of Oxford, Northumberland, and Cumberland, Sir Thomas Cecil, Sir Robert Cecil, Sir Walter Raleigh, Sir Thomas Vavasor, Sir Thomas Gerrard, Sir Charles Blount, with many others, distinguished themselves by this generous and disinterested service for their country. The English fleet, after the conjunction of those ships, amounted to a hundred and forty sail.

The Armada had now reached Calais, and cast anchor before that place, in expectation that the Duke of Parma,

who had gotten intelligence of their approach, would put to sea and join his forces to them. The English admiral practised here a successful stratagem upon the Spaniards. He took eight of his smaller ships, and, filling them with combustible materials, sent them one after another into the midst of the enemy. The Spaniards fancied that they were fire-ships of the same contrivance with a famous vessel which had lately done so much execution in the Scheldt, near Antwerp; and they immediately cut their cables, and took to flight with the greatest disorder and precipitation. The English fell upon them next morning while in confusion; and, besides doing great damage to other ships, they took or destroyed about twelve of the enemy.

By this time it was become apparent that the intention for which these preparations were made by the Spaniards was entirely frustrated. The vessels provided by the Duke of Parma were made for transporting soldiers, not for fighting; and that general, when urged to leave the harbor, positively refused to expose his flourishing army to such apparent hazard; while the English not only were able to keep the sea, but seemed even to triumph over their enemy. The Spanish admiral found, in many rencounters, that while he lost so considerable a part of his own navy, he had destroyed only one small vessel of the English; and he foresaw that, by continuing so unequal a combat, he must draw inevitable destruction on all the remainder. He prepared, therefore, to return homewards; but as the wind was contrary to his passage through the Channel, he resolved to sail northwards, and, making the tour of the island, reached the Spanish harbors by the ocean. The English fleet followed him during some time; and had not their ammunition fallen short, by the negligence of the officers in supplying them, they had obliged the whole Armada to surrender at discretion. The Duke of Medina had once taken that resolution, but was diverted from it by the advice of his confessor. This conclusion of the enterprise would have been more glorious to the English; but the event proved almost equally fatal to the Spaniards. A violent tempest overtook the Armada after it passed the Orkneys: the ships had already lost their anchors, and were obliged to keep to sea; the mariners, unaccustomed to such hardships, and not able to govern such unwieldy vessels, yielded to the fury of the storm, and allowed their ships to drive either on the western isles of Scotland or on the coast of Ireland, where

they were miserably wrecked. Not a half of the navy returned to Spain; and the seamen as well as soldiers who remained were so overcome with hardships and fatigue, and so dispirited by their discomfiture, that they filled all Spain with accounts of the desperate valor of the English, and of the tempestuous violence of that ocean which surrounds them.

Such was the miserable and dishonorable conclusion of an enterprise which had been preparing for three years, which had exhausted the revenue and force of Spain, and which had long filled all Europe with anxiety or expectation. Philip, who was a slave to his ambition, but had an entire command over his countenance, no sooner heard of the mortifying event which blasted all his hopes than he fell on his knees, and, rendering thanks for the gracious dispensation of Providence, expressed his joy that the calamity was not greater. The Spanish priests, who had so often blessed this holy crusade and foretold its infallible success, were somewhat at a loss to account for the victory gained over the Catholic monarch by excommunicated heretics and an execrable usurper; but they at last discovered that all the calamities of the Spaniards had proceeded from their allowing the infidel Moors to live among them.<sup>71</sup>

[1589.] Soon after the defeat and dispersion of the Spanish Armada the queen summoned a new Parliament, and received from them a supply of two subsidies and four fifteenths, payable in four years. This is the first instance that subsidies were doubled in one supply; and so unusual a concession was probably obtained from the joy of the present success, and from the general sense of the queen's necessities. Some members objected to this heavy charge, on account of the great burden of loans which had lately been imposed upon the nation.<sup>72</sup>

Elizabeth foresaw that this House of Commons, like all the foregoing, would be governed by the Puritans; and therefore, to obviate their enterprises, she renewed at the beginning of the session her usual injunction, that the Parliament should not on any account presume to treat of matters ecclesiastical. Notwithstanding this strict inhibition, the zeal of one Dampont moved him to present a bill to the Commons for remedying spiritual grievances, and for restraining the tyranny of the ecclesiastical commission, which

<sup>71</sup> See note [MM] at the end of the volume.

<sup>72</sup> See note [NN] at the end of the volume.



were certainly great: but when Mr. Secretary Woley reminded the House of her majesty's commands, no one durst second the motion; the bill was not so much as read; and the Speaker returned it to Dampart without taking the least notice of it.<sup>73</sup> Some members of the House, notwithstanding the general submission, were even committed to custody on account of this attempt.<sup>74</sup>

The imperious conduct of Elizabeth appeared still more clearly in another parliamentary transaction. The right of purveyance was an ancient prerogative, by which the officers of the crown could at pleasure take provisions for the household from all the neighboring counties, and could make use of the carts and carriages of the farmers; and the price of these commodities and services was fixed and stated. The payment of the money was often distant and uncertain; and the rates, being fixed before the discovery of the West Indies, were much inferior to the present market price; so that purveyance, besides the slavery of it, was always regarded as a great burden, and, being arbitrary and casual, was liable to great abuses. We may fairly presume that the hungry courtiers of Elizabeth, supported by her unlimited power, would be sure to render this prerogative very oppressive to the people; and the Commons had, last session, found it necessary to pass a bill for regulating these exactions: but the bill was lost in the House of Peers.<sup>75</sup> The continuance of the abuses begat a new attempt for redress; and the same bill was now revived, and again sent up to the House of Peers, together with a bill for some new regulations in the court of exchequer. Soon after, the Commons received a message from the Upper House desiring them to appoint a committee for a conference. At this conference the Peers informed them that the queen, by a message delivered by Lord Burleigh, had expressed her displeasure that the Commons should presume to touch on her prerogative. If there were any abuses, she said, either in imposing purveyance or in the practice of the court of exchequer, her majesty was both able and willing to provide due reformation, but would not permit the Parliament to intermeddle in these matters.<sup>76</sup> The Commons, alarmed at this intelligence, appointed another committee to attend the queen, and endeavored to satisfy her of their humble and dutiful intentions. Elizabeth gave a gracious reception to the committee; she expressed her great *inestimable* loving

<sup>73</sup> D'Ewes, p. 438. <sup>74</sup> Strype's Life of Whitgift, p. 280. Neal, vol. i. p. 500.

<sup>75</sup> D'Ewes, p. 434.

<sup>76</sup> D'Ewes, p. 440.

*care* towards her loving subjects; which, she said, was greater than of her own self, or even than any of them could have of themselves. She told them that she had already given orders for an inquiry into the abuses attending purveyance, but the dangers of the Spanish invasion had retarded the progress of the design; that she had as much skill, will, and power to rule her household as any subjects whatsoever to govern theirs, and needed as little the assistance of her neighbors; that the exchequer was her chamber, consequently more near to her than even her household, and therefore the less proper for them to intermeddle with; and that she would of herself, with advice of her council and the judges, redress every grievance in these matters, but would not permit the Commons, by laws moved without her privacy, to bereave her of the honor attending these regulations.<sup>77</sup> The issue of this matter was the same that attended all contests between Elizabeth and her Parliaments.<sup>78</sup> She seems even to have been more imperious in this particular than her predecessors, at least her more remote ones; for they often permitted the abuses of purveyance<sup>79</sup> to be redressed by law.<sup>80</sup> Edward III., a very arbitrary prince, allowed ten several statutes to be enacted for that purpose.

In so great awe did the Commons stand of every courtier, as well as of the crown, that they durst use no freedom of speech which they thought would give the least offence to any of them. Sir Edward Hobby showed in the House his extreme grief, that by some great personage, not a member of the House, he had been sharply rebuked for his speeches delivered in Parliament: he craved the favor of the House, and desired that some of the members might inform that great personage of his true meaning and intention in these speeches.<sup>81</sup> The Commons, to obviate these inconveniences, passed a vote that no one should reveal the secrets of the House.<sup>82</sup>

The discomfiture of the Armada had begotten in the nation a kind of enthusiastic passion for enterprises against Spain, and nothing seemed now impossible to be achieved by the valor and fortune of the English. Don Antonio, prior of Crato, a natural son of the royal family of Portugal,

<sup>77</sup> D'Ewes, p. 444.

<sup>78</sup> "Si rixa est, ubi tu puisas, ego vapulo tantum."—JUV.

<sup>79</sup> See note [OO] at the end of the volume.

<sup>80</sup> See the statutes under the head of Purveyance.

<sup>81</sup> D'Ewes, pp. 432, 433.

<sup>82</sup> An act was passed this session enforcing the former statute, which imposed twenty pounds a month on every one absent from public worship; but the penalty was restricted to two-thirds of the income of the recusant. 29 Eliz. cap. 6.

trusting to the aversion of his countrymen against the Castilians, had advanced a claim to the crown; and flying first to France, thence to England, had been encouraged both by Henry and Elizabeth in his pretensions. A design was formed by the people—not the court of England—to conquer the kingdom for Don Antonio. Sir Francis Drake and Sir John Norris were the leaders in this romantic enterprise. Near twenty thousand volunteers<sup>83</sup> enlisted themselves in the service; and ships were hired, as well as arms provided, at the charge of the adventurers. The queen's frugality kept her from contributing more than sixty thousand pounds to the expense, and she only allowed six of her ships of war to attend the expedition.<sup>84</sup> There was more spirit and bravery than foresight or prudence in the conduct of this enterprise. The small stock of the adventurers did not enable them to buy either provisions or ammunition sufficient for such an undertaking; they even wanted vessels to stow the numerous volunteers who crowded to them, and they were obliged to seize by force some ships of the Hanse towns, which they met with at sea—an expedient which set them somewhat more at ease in point of room for their men, but remedied not the deficiency of their provisions.<sup>85</sup> Had they sailed directly to Portugal, it is believed that the good-will of the people, joined to the defenceless state of the country, might have insured them of success; but, hearing that great preparations were making at the Groine for the invasion of England, they were induced to go thither and destroy this new armament of Spain. They broke into the harbor, burning some ships of war—particularly one commanded by Recalde, vice-admiral of Spain. They defeated an army of four or five thousand men which was assembled to oppose them; they assaulted the Groine and took the lower town, which they pillaged; and they would have taken the higher, though well fortified, had they not found their ammunition and provisions beginning to fail them. The young Earl of Essex, a nobleman of promising hopes—who, fired with the thirst of military honor, had secretly, unknown to the queen, stolen from England—here joined the adventurers; and it was then agreed by common consent to make sail for Portugal, the main object of their enterprise.

<sup>83</sup> Birch's *Memoirs of Queen Elizabeth*, vol. i. p. 61. Monson, p. 267, says that there were only fourteen thousand soldiers and four thousand seamen in the whole of this expedition; but the account contained in Dr. Birch is given by one of the most considerable of the adventurers.

<sup>84</sup> Monson, p. 267.

<sup>85</sup> Monson, p. 159.

The English landed at Paniche, a seaport town, twelve leagues from Lisbon; and Norris led the army to that capital, while Drake undertook to sail up the river and attack the city with united forces. By this time the court of Spain had gotten leisure to prepare against the invasion. Forces were thrown into Lisbon; the Portuguese were disarmed; all suspected persons were taken into custody; and thus, though the inhabitants bore great affection to Don Antonio, none of them durst declare in favor of the invaders. The English army, however, made themselves masters of the suburbs, which abounded with riches of all kinds; but as they desired to conciliate the affections of the Portuguese, and were more intent on honor than profit, they observed a strict discipline and abstained from all plunder. Meanwhile they found their ammunition and provisions much exhausted; they had not a single cannon to make a breach in the walls; the admiral had not been able to pass some fortresses which guarded the river; there was no appearance of an insurrection in their favor; sickness from fatigue, hunger, and intemperance in wine and fruits had seized the army, so that it was found necessary to make all possible haste to re-embark. They were not pursued by the enemy; and finding at the mouth of the river sixty ships laden with naval stores, they seized them as lawful prize, though they belonged to the Hanse towns, a neutral power. They sailed thence to Vigo, which they took and burned; and, having ravaged the country around, they set sail and arrived in England. About half of these gallant adventurers perished by sickness, famine, fatigue, and the sword,<sup>86</sup> and England reaped more honor than profit from this extraordinary enterprise. It is computed that eleven hundred gentlemen embarked on board the fleet, and that only three hundred and fifty survived those multiplied disasters.<sup>87</sup>

When these ships were on their voyage homewards, they met with the Earl of Cumberland, who was outward bound, with a fleet of seven sail, all equipped at his own charge, except one ship of war which the queen had lent him. That nobleman supplied Sir Francis Drake with some provisions—a generosity which saved the lives of many of Drake's men, but for which the others afterwards suffered severely. Cumberland sailed towards the Terceras, and took several prizes from the enemy; but the richest (valued at a hundred thousand pounds) perished in her return, with all her cargo,

<sup>86</sup> Birch's Memoirs, vol. i. p. 61.

<sup>87</sup> Ibid.



near St. Michael's Mount, in Cornwall. Many of these adventurers were killed in a rash attempt at the Terceras; a great mortality seized the rest; and it was with difficulty that the few hands which remained were able to steer the ships back into harbor.<sup>88</sup>

Though the signal advantages gained over the Spaniards and the spirit thence infused into the English gave Elizabeth great security during the rest of her reign, she could not forbear keeping an anxious eye on Scotland, whose situation rendered its revolutions always of importance to her. It might have been expected that this high-spirited princess, who knew so well to brave danger, would not have retained that malignant jealousy towards her heir with which, during the lifetime of Mary, she had been so much agitated. James had indeed succeeded to all the claims of his mother; but he had not succeeded to the favor of the Catholics, which could alone render these claims dangerous.<sup>89</sup> And as the queen was now well advanced in years, and enjoyed an uncontrolled authority over her subjects, it was not likely that the King of Scots, who was of an indolent, unambitious temper, would ever give her any disturbance in her possession of the throne. Yet all these circumstances could not remove her timorous suspicions; and, so far from satisfying the nation by a settlement of the succession or a declaration of James's title, she was as anxious to prevent every incident which might anywise raise his credit or procure him the regard of the English as if he had been her immediate rival and competitor. Most of his ministers and favorites were her pensioners; and as she was desirous to hinder him from marrying and having children, she obliged them to throw obstacles in the way of every alliance—even the most reasonable—which could be offered him, and during some years she succeeded in this malignant policy.<sup>90</sup> He had fixed on the elder daughter of the King of Denmark, who, being a remote prince and not powerful, could give her no umbrage; yet did she so artfully cross this negotiation that the Danish monarch, impatient of delay, married his daughter to the Duke of Brunswick. James then renewed his suit to the younger princess, and still found obstacles from the intrigues of Elizabeth, who, merely with a view of interposing delay, proposed to him the sister of the King of Navarre, a princess much older than himself and entirely destitute of fortune. The young king, besides the desire of securing himself, by

<sup>88</sup> Monson, p. 161.

<sup>89</sup> Winwood, vol. i. p. 41.

<sup>90</sup> Melvil, pp. 166, 177.

the prospect of issue, from those traitorous attempts too frequent among his subjects, had been so watched by the rigid austerity of the ecclesiastics that he had another inducement to marry, which is not so usual with monarchs. His impatience, therefore, broke through all the politics of Elizabeth. The articles of marriage were settled; the ceremony was performed by proxy; and the princess embarked for Scotland, but was driven by a storm into a port of Norway. This tempest and some others which happened near the same time were universally believed in Scotland and Denmark to have proceeded from a combination of the Scottish and Danish witches; and the dying confession of the criminals was supposed to put the accusation beyond all controversy.<sup>91</sup> James, however, though a great believer in sorcery, was not deterred by this incident from taking a voyage in order to conduct his bride home. He arrived in Norway, carried the queen thence to Copenhagen, and, having passed the winter in that city, he brought her next spring to Scotland, where they were joyfully received by the people. The clergy alone, who never neglected an opportunity of vexing their prince, made opposition to the queen's coronation on account of the ceremony of anointing her, which they alleged was either a Jewish or a popish rite, and therefore utterly antichristian and unlawful. But James was as much bent on the ceremony as they were averse to it; and, after much controversy and many intrigues, his authority, which had not often happened, at last prevailed over their opposition.<sup>9</sup>

<sup>91</sup> Melvil, p. 180.

<sup>92</sup> Spotswood, p. 381.

## CHAPTER XLIII.

FRENCH AFFAIRS.—MURDER OF THE DUKE OF GUISE.—MURDER OF HENRY III.—PROGRESS OF HENRY IV.—NAVAL ENTERPRISES AGAINST SPAIN.—A PARLIAMENT.—HENRY IV. EMBRACES THE CATHOLIC RELIGION.—SCOTCH AFFAIRS.—NAVAL ENTERPRISES.—A PARLIAMENT.—PEACE OF VERVINS.—THE EARL OF ESSEX.

[1590.] AFTER a state of great anxiety and many difficulties, Elizabeth had at length reached a situation where, though her affairs still required attention and found employment for her active spirit, she was removed from all danger of any immediate revolution, and might regard the efforts of her enemies with some degree of confidence and security. Her successful and prudent administration had gained her, together with the admiration of foreigners, the affections of her own subjects; and, after the death of the Queen of Scots, even the Catholics, however discontented, pretended not to dispute her title or adhere to any other person as her competitor. James, curbed by his factious nobility and ecclesiastics, possessed at home very little authority, and was solicitous to remain on good terms with Elizabeth and the English nation in hopes that time, aided by his patient tranquillity, would secure him that rich succession to which his birth entitled him. The Hollanders, though overmatched in their contest with Spain, still made an obstinate resistance; and such was their unconquerable antipathy to their old masters, and such the prudent conduct of young Maurice, their governor, that the subduing of that small territory, if at all possible, must be the work of years, and the result of many and great successes. Philip, who, in his powerful effort against England, had been transported by resentment and ambition beyond his usual cautious maxims, was now disabled, and still more discouraged, from adventuring again on such hazardous enterprises. The situation, also, of affairs in France began chiefly to employ his attention; but, notwithstanding all his artifice and force and expense, the events in that kingdom proved every day more contrary to his ex-

pectations and more favorable to the friends and confederates of England.

The violence of the league having constrained Henry to declare war against the Huguenots, these religionists seemed exposed to the utmost danger, and Elizabeth, sensible of the intimate connection between her own interests and those of that party, had supported the King of Navarre by her negotiations in Germany, and by large sums of money, which she remitted for levying forces in that country. This great prince, not discouraged by the superiority of his enemies, took the field; and in the year 1587 gained, at Coutras, a complete victory over the army of the French king; but, as his allies, the Germans, were at the same time discomfited by the army of the league, under the Duke of Guise, his situation, notwithstanding his victory, seemed still as desperate as ever. The chief advantage which he reaped by this diversity of success arose from the dissensions which by that means took place among his enemies. The inhabitants of Paris, intoxicated with admiration of Guise, and strongly prejudiced against their king, whose intentions had become suspicious to them, took to arms, and obliged Henry to fly for his safety. That prince, dissembling his resentment, entered into a negotiation with the league, and, having conferred many high offices on Guise and his partisans, summoned an assembly of the states at Blois, on pretence of finding expedients to support the intended war against the Huguenots. The various scenes of perfidy and cruelty which had been exhibited in France had justly begotten a mutual diffidence among all parties; yet Guise, trusting more to the timidity than honor of the king, rashly put himself into the hands of that monarch, and expected, by the ascendant of his own genius, to make him submit to all his exorbitant pretensions. Henry, though of an easy disposition, not steady to his resolutions, nor even to his promises, wanted neither courage nor capacity; and, finding all his subtleties eluded by the vigor of Guise, and even his throne exposed to the most imminent danger, he embraced more violent counsels than were natural to him, and ordered that prince and his brother, the Cardinal of Guise, to be assassinated in his palace.

This cruel execution, which the necessity of it alone could excuse, had nearly proved fatal to the author, and seemed at first to plunge him into greater dangers than those which he sought to avoid by taking vengeance on his enemy



The partisans of the league were inflamed with the utmost rage against him ; the populace everywhere, particularly at Paris, renounced allegiance to him ; the ecclesiastics and the preachers filled all places with execrations against his name ; and the most powerful cities and most opulent provinces appeared to combine in a resolution either of renouncing monarchy or of changing their monarch. Henry, finding slender resources among his Catholic subjects, was constrained to enter into a confederacy with the Huguenots and the King of Navarre. He enlisted large bodies of Swiss infantry and German cavalry, and, being still supported by his chief nobility, he assembled, by all these means, an army of near forty thousand men, and advanced to the gates of Paris, ready to crush the league and subdue all his enemies. The desperate resolution of one man diverted the course of these great events. Jacques Clement, a Dominican friar, inflamed by that bloody spirit of bigotry which distinguishes this century, and a great part of the following, beyond all ages of the world, embraced the resolution of sacrificing his own life in order to save the Church from the persecutions of an heretical tyrant ; and being admitted under some pretext to the king's presence, he gave that prince a mortal wound, and was immediately put to death by the courtiers, who hastily revenged the murder of their sovereign. This memorable incident happened on the 1st August, 1591.

The King of Navarre, next heir to the crown, assumed the government by the title of Henry IV., but succeeded to much greater difficulties than those which surrounded his predecessor. The prejudices entertained against his religion made a great part of the nobility immediately desert him, and it was only by his promise of hearkening to conferences and instruction that he could engage any of the Catholics to adhere to his undoubted title. The league, governed by the Duke of Mayence, brother to Guise, gathered new force, and the King of Spain entertained views either of dismembering the French monarchy or of annexing the whole to his own dominions. In these distressful circumstances, Henry addressed himself to Elizabeth, and found her well disposed to contribute to his assistance, and to oppose the progress of the Catholic league and of Philip, her inveterate and dangerous enemies. To prevent the desertion of his Swiss and German auxiliaries, she made him a present of twenty-two thousand pounds, a greater sum

than, as he declared, he had ever seen before ; and she sent him a reinforcement of four thousand men, under Lord Willoughby, an officer of reputation, who joined the French at Dieppe. Strengthened by these supplies, Henry marched directly to Paris, and, having taken the suburbs sword in hand, he abandoned them to be pillaged by his soldiers. He employed this body of English in many other enterprises, and still found reason to praise their courage and fidelity. The time of their service being elapsed, he dismissed them with many high commendations. Sir William Drury, Sir Thomas Baskerville, and Sir John Boroughs acquired reputation in this campaign, and revived in France the ancient fame of English valor.

The army which Henry, next campaign, led into the field was much inferior to that of the league ; but as it was composed of the chief nobility of France, he feared not to encounter his enemies in a pitched battle at Yvrée, and he gained a complete victory over them. This success enabled him to blockade Paris, and he reduced that capital to the last extremity of famine ; when the Duke of Parma, in consequence of orders from Philip, marched to the relief of the league, and obliged Henry to raise the blockade. Having performed this important service, he retreated to the Low Countries ; and, by his consummate skill in the art of war, performed these long marches in the face of the enemy, without affording the French monarch that opportunity which he sought of giving him battle, or so much as once putting his army in disorder. The only loss which he sustained was in the Low Countries, where Prince Maurice took advantage of his absence and recovered some places which the Duke of Parma had formerly conquered from the States.<sup>1</sup>

[1591.] The situation of Henry's affairs, though promising, was not so well advanced or established as to make the queen discontinue her succors, and she was still more confirmed in the resolution of supporting him by some advantages gained by the King of Spain. The Duke of Mercœur, Governor of Brittany, a prince of the house of Lorraine, had declared for the league, and, finding himself hard pressed by Henry's forces, he had been obliged, in order to secure himself, to introduce some Spanish troops into the seaport towns of that province. Elizabeth was alarmed at the danger, and foresaw that the Spaniards, besides infesting the English commerce by privateers, might employ these har-

<sup>1</sup> See note [PP] at the end of the volume.

bors as the seat of their naval preparations, and might more easily from that vicinity, than from Spain or Portugal, project an invasion of England. She concluded, therefore, a new treaty with Henry, in which she engaged to send over three thousand men, to be employed in the reduction of Brittany; and she stipulated that her charges should, in a twelvemonth, or as soon as the enemy was expelled, be refunded her.<sup>2</sup> These forces were commanded by Sir John Norris, and under him by his brother Henry, and by Anthony Shirley. Sir Roger Williams was at the head of a small body which garrisoned Dieppe; and a squadron of ships, under the command of Sir Henry Palmer, lay upon the coast of France, and intercepted all the vessels belonging to the Spaniards or the leaguers.

The operations of war can very little be regulated beforehand by any treaty or agreement; and Henry, who found it necessary to lay aside the projected enterprise against Brittany, persuaded the English commanders to join his army and to take a share in the hostilities which he carried into Picardy.<sup>3</sup> Notwithstanding the disgust which Elizabeth received from this disappointment, he laid before her a plan for expelling the leaguers from Normandy, and persuaded her to send over a new body of four thousand men to assist him in that enterprise. The Earl of Essex was appointed general of these forces—a young nobleman who, by many exterior accomplishments, and, still more, real merit, was daily advancing in favor with Elizabeth, and seemed to occupy that place in her affections which Leicester, now deceased, had so long enjoyed. Essex, impatient for military fame, was extremely uneasy to lie some time at Dieppe unemployed, and had not the orders which he received from his mistress been so positive, he would gladly have accepted of Henry's invitation, and have marched to join the French army now in Champagne. This plan of operations was also proposed to Elizabeth by the French ambassador, but she rejected it with great displeasure, and she threatened immediately to recall her troops if Henry should persevere any longer in his present practice of breaking all concert with her and attending to nothing but his own interests.<sup>4</sup> Urged by these motives, the French king at last led his army into Normandy, and laid siege to Rouen, which he reduced to great difficulties.

<sup>2</sup> Camden, p. 561.

<sup>3</sup> Rymer, vol. xiv. p. 116.

<sup>4</sup> Birch's Negotiations, p. 5. Rymer, vol. xiv. pp. 123, 140.

But the league, unable of themselves to take the field against him, had again recourse to the Duke of Parma, who received orders to march to their relief. He executed this enterprise with his usual abilities and success, and for the present frustrated all the projects of Henry and Elizabeth. This princess, who kept still in view the interests of her own kingdom in all her foreign transactions, was impatient under these disappointments, blamed Henry for his negligence in the execution of treaties, and complained that the English forces were thrust foremost in every hazardous enterprise.<sup>5</sup> It is probable, however, that their own ardent courage, and their desire of distinguishing themselves in so celebrated a theatre of war, were the causes why they so often enjoyed this perilous honor.

Notwithstanding the indifferent success of former enterprises, the queen was sensible how necessary it was to support Henry against the league and the Spaniards; and she formed a new treaty with him, in which they agreed never to make peace with Philip but by common consent: *she* promised to send him a new supply of four thousand men; and *he* stipulated to repay her charges in a twelvemonth, to employ these forces, joined to a body of French troops, in an expedition against Brittany, and to consign into her hands a seaport town of that province for a retreat to the English.<sup>6</sup> Henry knew the impossibility of executing some of these articles, and the imprudence of fulfilling others; but finding them rigidly insisted on by Elizabeth, he accepted of her succors, and trusted that he might easily, on some pretence, be able to excuse his failure in executing his part of the treaty. This campaign was the least successful of all those which he had yet carried on against the league.

During these military operations in France, Elizabeth employed her naval power against Philip, and endeavored to intercept his West-Indian treasures, the source of that greatness which rendered him so formidable to all his neighbors. She sent a squadron of seven ships, under the command of Lord Thomas Howard, for this service; but the king of Spain, informed of her purpose, fitted out a great force of fifty-five sail, and despatched them to escort the Indian fleet. They fell in with the English squadron; and by the courageous obstinacy of Sir Richard Grenville, the vice-admiral, who refused to make his escape by flight, they took one vessel, the first English ship-of-war that had

<sup>5</sup> Camden, p. 562.

<sup>6</sup> Rymer, vol. xvi. pp. 151, 168, 171, 173.



yet fallen into the hands of the Spaniards.<sup>7</sup> The rest of the squadron returned safely into England, frustrated of their expectations, but pleasing themselves with the idea that their attempt had not been altogether fruitless in hurting the enemy. The Indian fleet had been so long detained in the Havannah, from the fear of the English, that they were obliged at last to set sail in an improper season, and most of them perished by shipwreck ere they reached the Spanish harbors.<sup>8</sup> The Earl of Cumberland made a like unsuccessful enterprise against the Spanish trade. He carried out one ship of the queen's, and seven others equipped at his own expense; but the prizes which he made did not compensate the charges.<sup>9</sup>

The spirit of these expensive and hazardous adventures was very prevalent in England. Sir Walter Raleigh, who had enjoyed great favor with the queen, finding his interest to decline, determined to recover her good graces by some important undertaking; and, as his reputation was high among his countrymen, he persuaded great numbers to engage with him as volunteers in an attempt on the West Indies. The fleet was detained so long in the Channel by contrary winds that the season was lost. Raleigh was recalled by the queen. Sir Martin Frobisher succeeded to the command, and made a privateering voyage against the Spaniards. He took one rich carrack near the island of Flores, and destroyed another.<sup>10</sup> [1592.] About the same time, Thomas White, a Londoner, took two Spanish ships, which, besides fourteen hundred chests of quicksilver, contained about two millions of bulls for indulgences—a commodity useless to the English, but which had cost the King of Spain three hundred thousand florins, and would have been sold by him in the Indies for five millions.

This war did great damage to Spain; but it was attended with considerable expense to England, and Elizabeth's ministers computed that, since the commencement of it she had spent in Flanders and France, and on her naval expeditions, above one million two hundred thousand pounds<sup>11</sup>—a charge which, notwithstanding her extreme frugality, was too burdensome for her narrow revenues to support. [1593.] She summoned, therefore, a Parliament, in order to obtain a supply; but she either thought her

<sup>7</sup> See note [QQ] at the end of the volume.

<sup>8</sup> Monson, p. 163.

<sup>10</sup> Monson, p. 165. Camden, p. 569.

<sup>9</sup> Monson, p. 169.

<sup>11</sup> Strype, vol. iii.

authority so established that she needed to make them no concessions in return, or she rated her power and prerogative above money; for there never was any Parliament whom she treated in a more haughty manner, whom she made more sensible of their own weakness, or whose privileges she more openly violated. When the speaker, Sir Edward Coke, made the three usual requests, of freedom from arrests, of access to her person, and of liberty of speech, she replied to him, by the mouth of Puckering, lord keeper, that liberty of speech was granted to the Commons, but they must know what liberty they were entitled to: not a liberty for every one to speak what he listeth, or what cometh in his brain to utter; their privilege extended no further than a liberty of Ay or No; that she enjoined the speaker, if he perceived any idle heads so negligent of their own safety as to attempt reforming the Church or innovating in the commonwealth, that he should refuse the bills exhibited for that purpose till they were examined by such as were fitted to consider of these things, and could better judge of them; that she would not impeach the freedom of their persons; but they must beware lest, under color of this privilege, they imagined that any neglect of their duty could be covered or protected; and that she would not refuse them access to her person, provided it were upon urgent and weighty causes, and at times convenient, and when she might have leisure from other important affairs of the realm.<sup>12</sup>

Notwithstanding the menacing and contemptuous air of this speech, the intrepid and indefatigable Peter Wentworth, not discouraged by his former ill success, ventured to transgress the imperial orders of Elizabeth. He presented to the lord keeper a petition, in which he desired the Upper House to join with the Lower in a supplication to her majesty for entailing the succession of the crown; and he declared that he had a bill ready prepared for that purpose. This method of proceeding was sufficiently respectful and cautious; but the subject was always extremely disagreeable to the queen, and what she had expressly prohibited any one from meddling with. She sent Wentworth immediately to the Tower, committed Sir Thomas Bromley, who had seconded him, to the Fleet prison, together with Stevens and Welsh, two members to whom Sir

<sup>12</sup> D'Ewes, pp. 460, 469. Townsend, p. 37.

Thomas had communicated his intention.<sup>13</sup> About a fortnight after, a motion was made in the House to petition the queen for the release of these members ; but it was answered by all the privy-councillors there present that her majesty had committed them for causes best known to herself, and that to press her on that head would only tend to the prejudice of the gentlemen whom they meant to serve. She would release them whenever she thought proper, and would be better pleased to do it in her own proper motion than from their suggestion.<sup>14</sup> The House willingly acquiesced in this reasoning.

So arbitrary an act, at the commencement of the session, might well repress all further attempts for freedom. But the religious zeal of the Puritans was not so easily restrained, and it inspired a courage which no human motive was able to surmount. Morrice, chancellor of the duchy and attorney of the court of wards, made a motion for redressing the abuses in the bishops' courts, but, above all, in the high commission ; where subscriptions, he said, were exacted to articles at the pleasure of the prelates ; where oaths were imposed, obliging persons to answer to all questions without distinction, even though they should tend to their own condemnation ; and where every one who refused entire satisfaction to the commissioners was imprisoned without relief or remedy.<sup>15</sup> This motion was seconded by some members ; but the ministers and privy-councillors opposed it, and foretold the consequences which ensued. The queen sent for the speaker, and after requiring him to deliver to her Morrice's bill, she told him that it was in her power to call Parliaments ; in her power to dissolve them ; in her power to give assent or dissent to any determination which they should form ; that her purpose in summoning this Parliament was twofold—to have laws enacted for the further enforcement of uniformity in religion, and to provide for the defence of the nation against the exorbitant power of Spain ; that these two points ought, therefore, to be the object of their deliberations ; she had enjoined them already, by the mouth of the lord keeper, to meddle neither with matters of state nor of religion ; and she wondered how any one could be so assuming as to attempt a subject so expressly contrary to her prohibition ; that she was highly offended with this presumption, and took the present opportunity to reiterate

<sup>13</sup> D'Ewes, p. 470. Townsend, p. 54.

<sup>15</sup> D'Ewes, p. 474. Townsend, p. 60.

<sup>14</sup> D'Ewes, p. 497.

the commands given by the keeper, and to require that no bill regarding either state affairs or reformation in causes ecclesiastical be exhibited in the House: and that, in particular, she charged the speaker upon his allegiance, if any such bills were offered, absolutely to refuse them a reading, and not so much as permit them to be debated by the members.<sup>16</sup> This command from the queen was submitted to without further question. Morrice was seized in the House itself by a sergeant-at-arms, discharged from his office of chancellor of the duchy, incapacitated from any practice in his profession as a common lawyer, and kept some years prisoner in Tilbury Castle.<sup>17</sup>

The queen having thus expressly pointed out both what the House should and should not do, the Commons were as obsequious to the one as to the other of her injunctions. They passed a law against recusants, such a law as was suited to the severe character of Elizabeth and to the persecuting spirit of the age. It was entitled "An Act to retain her majesty's subjects in their due obedience," and was meant, as the preamble declares, to obviate such inconveniences and perils as might grow from the wicked practices of seditious sectaries and disloyal persons; for these two species of criminals were always at that time confounded together as equally dangerous to the peace of society. It was enacted that any person above sixteen years of age who obstinately refused during the space of a month to attend public worship should be committed to prison; that if, after being condemned for this offence, he persist three months in his refusal, he must abjure the realm; and that if he either refuse this condition or return after banishment, he should suffer capitally as a felon, without benefit of clergy.<sup>18</sup> This law bore equally hard upon the Puritans and upon the Catholics; and had it not been imposed by the queen's authority, was certainly, in that respect, much contrary to the private sentiments and inclinations of the majority in the House of Commons. Very little opposition, however, appears there to have been openly made to it.<sup>19</sup>

The expenses of the war with Spain having reduced the queen to great difficulties, the grant of subsidies seems to

<sup>16</sup> D'Ewes, pp. 474, 478. Townsend, p. 68.

<sup>17</sup> Heylin's History of the Presbyterians, p. 320.

<sup>18</sup> 35 Eliz. cap. 1.

<sup>19</sup> After enacting this statute, the clergy, in order to remove the odium from themselves, often took care that recusants should be tried by the civil judges at the assizes rather than by the ecclesiastical commissioners. Strype's Annals. vol. iv. p. 264.



have been the most important business of this Parliament ; and it was a signal proof of the high spirit of Elizabeth that, while conscious of a present dependence on the Commons, she opened the session with the most haughty treatment of them, and covered her weakness under such a lofty appearance of superiority. The Commons readily voted two subsidies and four fifteenths ; but this sum not appearing sufficient to the court, an unusual expedient was fallen upon to induce them to make an enlargement in their concessions. The Peers informed the Commons in a conference that they could not give their consent to the supply voted, thinking it too small for the queen's occasions ; they therefore proposed a grant of three subsidies and six fifteenths ; and desired a further conference, in order to persuade the Commons to agree to this measure. The Commons, who had acquired the privilege of beginning bills of subsidy, took offence at this procedure of the Lords, and at first absolutely rejected the proposal ; but being afraid, on reflection, that they had by this refusal given offence to their superiors, they both agreed to the conference, and afterwards voted the additional subsidy.<sup>20</sup>

The queen, notwithstanding this unusual concession of the Commons, ended the session with a speech containing some reprimands to them, and full of the same high pretensions which she had assumed at the opening of the Parliament. She took notice, by the mouth of the keeper, that certain members spent more time than was necessary by indulging themselves in harangues and reasonings ; and she expressed her displeasure on account of their not paying due reverence to privy-councillors, "who," she told them, "were not to be accounted as common knights and burgesses of the House, who are councillors but during Parliament ; whereas the others are standing councillors, and for their wisdom and great service are called to the council of the state."<sup>21</sup> The queen, also, in her own person, made the Parliament a spirited harangue, in which she spoke of the justice and moderation of her government, expressed the small ambition she had ever entertained of making conquests, displayed the just grounds of her quarrel with the King of Spain, and discovered how little she apprehended the power of that monarch, even though he should make a greater effort against her than that of his Invincible Ar-

<sup>20</sup> D'Ewes, pp. 483, 487, 488. Townsend, p. 66.

<sup>21</sup> D'Ewes, p. 466. Townsend, p. 47.

mada. "But I am informed," added she, "that when he attempted this last invasion, some upon the sea-coast forsook their towns, fled up higher into the country, and left all naked and exposed to his entrance; but I swear unto you by God, if I knew those persons, or may know of any that shall do so hereafter, I will make them feel what it is to be fearful in so urgent a cause."<sup>22</sup> By this menace she probably gave the people to understand that she would execute martial law upon such cowards; for there was no statute by which a man could be punished for changing his place of abode.

The King of France, though he had hitherto made war on the league with great bravery and reputation, though he had this campaign gained considerable advantages over them, and though he was assisted by a considerable body of English, under Norris, who carried hostilities into the heart of Brittany, was become sensible that he never could by force of arms alone render himself master of his kingdom. The nearer he seemed by his military successes to approach to a full possession of the throne, the more discontent and jealousy arose among those Romanists who adhered to him; and a party was formed in his own court to elect some Catholic monarch of the royal blood, if Henry should any longer refuse to satisfy them by declaring his conversion. This excellent prince was far from being a bigot to his sect; and as he deemed these theological disputes entirely subordinate to the public good, he had secretly determined, from the beginning, to come some time or other to the resolution required of him. He had found, on the death of his predecessor, that the Huguenots, who formed the bravest and most faithful part of his army, were such determined zealots that if he had at that time abjured their faith, they would instantly have abandoned him to the pretensions and usurpations of the Catholics. The more bigoted Catholics, he knew, particularly those of the league, had entertained such an insurmountable prejudice against his person, and diffidence of his sincerity, that even his abjuration would not reconcile them to his title; and he must either expect to be entirely excluded from the throne, or be admitted to it on such terms as would leave him little more than the mere shadow of royalty. In this delicate situation he had resolved to temporize; to retain the Huguenots by continuing in the profession of their religion; to gain the moderate Catholics

<sup>22</sup> D'Ewes, p. 466. Townsend, p. 48.

by giving them hopes of his conversion ; to attach both to his person by conduct and success ; and he hoped either that the animosity arising from war against the league would make them drop gradually the question of religion, or that he might in time, after some victories over his enemies, and some conferences with divines, make finally, with more decency and dignity, that abjuration which must have appeared at first mean as well as suspicious to both parties.

When the people are attached to any theological tenets merely from a general persuasion or prepossession, they are easily induced, by any motive or authority, to change their faith in these mysterious subjects ; as appears from the example of the English, who, during some reigns, usually embraced without scruple the still varying religion of their sovereigns. But the French nation, where principles had so long been displayed as the badges of faction, and where each party had forfeited its belief by an animosity against the other, were not found so pliable or inconstant ; and Henry was at last convinced that the Catholics of his party would entirely abandon him if he gave them not immediate satisfaction in this particular. The Huguenots, also, taught by experience, clearly saw that his desertion of them was become absolutely necessary for the public settlement ; and so general was this persuasion among them that, as the Duke of Sully pretends, even the divines of that party purposely allowed themselves to be worsted in the disputes and conferences, that the king might more readily be convinced of the weakness of their cause, and might more cordially and sincerely, at least more decently, embrace the religion which it was so much his interest to believe. If this self-denial in so tender a point should appear incredible and supernatural in theologians, it will at least be thought very natural that a prince so little instructed in these matters as Henry, and desirous to preserve his sincerity, should insensibly bend his opinion to the necessity of his affairs, and should believe that party to have the best arguments who could alone put him in possession of a kingdom. All circumstances, therefore, being prepared for this great event, that monarch renounced the Protestant religion, and was solemnly received by the French prelates of his party into the bosom of the Church.

Elizabeth, who was herself attached to the Protestants, chiefly by her interest and the circumstances of her birth, and who seems to have entertained some propensity during

her whole life to the Catholic superstition, at least to the ancient ceremonies, yet pretended to be extremely displeased with this abjuration of Henry; and she wrote him an angry letter, reproaching him with this interested change of his religion. Sensible, however, that the league and the King of Spain were still their common enemies, she hearkened to his apologies, continued her succors both of men and money, and formed a new treaty, in which they mutually stipulated never to make peace but by common agreement.

The intrigues of Spain were not limited to France and England. By means of the never-failing pretence of religion, joined to the influence of money, Philip excited new disorders in Scotland, and gave fresh alarms to Elizabeth. George Kerr, brother to Lord Newbottle, had been taken while he was passing secretly into Spain; and papers were found about him, by which a dangerous conspiracy of some Catholic noblemen with Philip was discovered. The Earls of Angus, Errol, and Huntley, the heads of three potent families, had entered into a confederacy with the Spanish monarch; and had stipulated to raise all their forces; to join them to a body of Spanish troops, which Philip promised to send into Scotland; and after re-establishing the Catholic religion in that kingdom, to march with their united power, in order to effect the same purpose in England.<sup>23</sup> Graham of Fintry, who had also entered into this conspiracy, was taken and arraigned and executed. Elizabeth sent Lord Borough ambassador into Scotland, and exhorted the king to exercise the same severity on the three earls, to confiscate their estates, and, by annexing them to the crown, both increase his own demesnes and set an example to all his subjects of the dangers attending treason and rebellion. The advice was certainly rational, but not easy to be executed by the small revenue and limited authority of James. He desired, therefore, some supply from her of men and money; but, though she had reason to deem the prosecution of the three popish earls a common cause, she never could be prevailed on to grant him the least assistance. The tenth part of the expense which she bestowed in supporting the French king and the states would have sufficed to execute this purpose, more immediately essential to her security;<sup>24</sup> but she seems ever to have borne

<sup>23</sup> Spotswood, p. 391. Rymer, vol. xvi. p. 190.

<sup>24</sup> Spotswood, p. 393. Rymer, vol. xvi. p. 235.



some degree of malignity to James, whom she hated both as her heir and as the son of Mary, her hated rival and competitor.

So far from giving James assistance to prosecute the Catholic conspirators, the queen rather contributed to increase his inquietude by countenancing the turbulent disposition of the Earl of Bothwell,<sup>25</sup> a nobleman descended from a natural son of James V. Bothwell more than once attempted to render himself master of the king's person; and being expelled the kingdom for these traitorous enterprises, he took shelter in England, was secretly protected by the queen, and lurked near the borders where his power lay, with a view of still committing some new violence. He succeeded at last in an attempt on the king, and, by the mediation of the English ambassador, imposed dishonorable terms upon that prince; but James, by the authority of the convention of states, annulled this agreement as extorted by violence; again expelled Bothwell, and obliged him to take shelter in England. Elizabeth, pretending ignorance of the place of his retreat, never executed the treaties by which she was bound to deliver up all fugitives to the King of Scotland. [1594.] During these disorders, increased by the refractory disposition of the ecclesiastics, the prosecution of the Catholic earls remained in suspense; but at last the Parliament passed an act of attainder against them, and the king prepared himself to execute it by force of arms. The noblemen, though they obtained a victory over the Earl of Argyle, who acted by the king's commission, found themselves hard pressed by James himself, and agreed, on certain terms, to leave the kingdom. Bothwell, being detected in a confederacy with them, forfeited the favor of Elizabeth; and was obliged to take shelter, first in France, then in Italy, where he died some years after in great poverty.

The established authority of the queen secured her from all such attempts as James was exposed to from the mutinous disposition of his subjects; and her enemies found no other means of giving her domestic disturbance than by such traitorous and perfidious machinations as ended in their own disgrace and in the ruin of their criminal instruments. Roderigo Lopez, a Jew, domestic physician to the queen, being imprisoned on suspicion, confessed that he had received a bribe to poison her from Fuentes and Ibarra, who had succeeded Parma, lately deceased, in the govern-

<sup>25</sup> Spotswood, pp. 257, 258.

ment of the Netherlands ; but he maintained that he had no other intention than to cheat Philip of his money, and never meant to fulfil his engagement. He was, however, executed for the conspiracy ; and the queen complained to Philip of these dishonorable attempts of his ministers, but could obtain no satisfaction.<sup>26</sup> York and Williams, two English traitors, were afterwards executed for a conspiracy with Ibarra, equally atrocious.<sup>27</sup>

Instead of avenging herself by retaliating in a like manner, Elizabeth sought a more honorable vengeance by supporting the King of France, and assisting him in finally breaking the force of the league, which, after the conversion of that monarch, went daily to decay, and was threatened with speedy ruin and dissolution. Norris commanded the English forces in Brittany, and assisted at the taking of Morlaix, Quimpercorentin, and Brest, towns garrisoned by Spanish forces. In every action, the English, though they had so long enjoyed domestic peace, discovered a strong military disposition ; and the queen, though herself a heroine, found more frequent occasion to reprove her generals for encouraging their temerity than for countenancing their fear or caution ;<sup>28</sup> Sir Martin Frobisher, her brave admiral, perished, with many others, before Brest. Morlaix had been promised to the English for a place of retreat ; but the Duke d'Aumont, the French general, eluded this promise by making it be inserted in the capitulation that none but Catholics should be admitted into that city.

Next campaign, the French king, who had long carried on hostilities with Philip, was at last provoked, by the taking of Chatelet and Doullens and the attack of Cambray, to declare war against that monarch. [1595.] Elizabeth, being threatened with a new invasion in England and with an insurrection in Ireland, recalled most of her forces, and sent Norris to command in this latter kingdom. Finding, also, that the French league was almost entirely dissolved, and that the most considerable leaders had made an accommodation with their prince, she thought that he could well support himself by his own force and valor ; and she began to be more sparing, in his cause, of the blood and treasure of her subjects.

[1596.] Some disgusts which she had received from the States, joined to the remonstrances of her frugal minister

<sup>26</sup> Camden, p. 577. Birch's Negot. p. 15. Bacon, vol. iv. p. 381.

<sup>27</sup> Camden, p. 582.

<sup>28</sup> Camden, p. 578.

Burleigh, made her also inclined to diminish her charges on that side; and she even demanded, by her ambassador, Sir Thomas Bodley, to be reimbursed all the money which she had expended in supporting them. The States, besides alleging the conditions of the treaty, by which they were not bound to repay her till the conclusion of a peace, pleaded their present poverty and distress, the great superiority of the Spaniards, and the difficulty in supporting the war, much more in saving money to discharge their encumbrances. After much negotiation a new treaty was formed, by which the States engaged to free the queen immediately from the charge of the English auxiliaries, computed at forty thousand pounds a year; to pay her annually twenty thousand pounds for some years; to assist her with a certain number of ships; and to conclude no peace or treaty without her consent. They also bound themselves, on finishing a peace with Spain, to pay her annually the sum of a hundred thousand pounds for four years; but on this condition, that the payment should be in lieu of all demands, and that they should be supplied, though at their own charge, with a body of four thousand auxiliaries from England.<sup>29</sup>

The queen still retained in her hands the cautionary towns, which were a great check on the rising power of the States; and she committed the important trust of Flushing to Sir Francis Vere, a brave officer, who had distinguished himself by his valor in the Low Countries. She gave him the preference to Essex, who expected so honorable a command; and though this nobleman was daily rising both in reputation with the people and favor with herself, the queen who was commonly reserved in the advancement of her courtiers, thought proper, on this occasion, to give him a refusal. Sir Thomas Baskerville was sent over to France, at the head of two thousand English, with which Elizabeth, by a new treaty concluded with Henry, engaged to supply that prince. Some stipulations for mutual assistance were formed by the treaty, and all former engagements were renewed.

[1597.] This body of English were maintained at the expense of the French king; yet did Henry esteem the supply of considerable advantage on account of the great reputation acquired by the English in so many fortunate enterprises undertaken against the common enemy. In the great battle of Turnholt, gained this campaign by Prince

<sup>29</sup> Camden, p. 586.

Maurice, the English auxiliaries under Sir Francis Vere and Sir Robert Sydney had acquired honor; and the success of that day was universally ascribed to their discipline and valor.

Though Elizabeth, at a considerable expense of blood and treasure, made war against Philip in France and the Low Countries, the most severe blows which she gave him were by those naval enterprises which either she or her subjects scarcely ever intermitted during one season. In 1594, Richard Hawkins, son of Sir John, the famous navigator, procured the queen's commission, and sailed with three ships to the South Sea, by the Straits of Magellan. But his voyage proved unfortunate, and he himself was taken prisoner on the coast of Chili. James Lancaster was supplied the same year with three ships and a pinnace by the merchants of London, and was more fortunate in his adventure. He took thirty-nine ships of the enemy; and, not content with this success, he made an attack on Fernambouc, in Brazil, where he knew great treasures were at that time lodged. As he approached the shore, he saw it lined with great numbers of the enemy; but, nowise daunted at this appearance, he placed the stoutest of his men in boats, and ordered them to row with such violence on the landing-place as to split them in pieces. By this bold action he both deprived his men of all resource but in victory, and terrified the enemy, who fled after a short resistance. He returned home with the treasure which he had so bravely acquired. In 1595, Sir Walter Raleigh, who had anew forfeited the queen's friendship by an intrigue with a maid of honor, and who had been thrown into prison for this misdemeanor, no sooner recovered his liberty than he was pushed by his active and enterprising genius to attempt some great action. The success of the first Spanish adventurers against Mexico and Peru had begotten an extreme avidity in Europe; and a prepossession universally took place, that in the inland parts of South America called Guiana, a country as yet undiscovered, there were mines and treasures far exceeding any which Cortez or Pizarro had met with. Raleigh, whose turn of mind was somewhat romantic and extravagant, undertook, at his own charge, the discovery of this wonderful country. Having taken the small town of St. Joseph, in the isle of Trinidad, where he found no riches, he left his ship and sailed up the river Oroonoko in pinnaces, but without meeting anything to answer his expectations.



On his return he published an account of the country, full of the grossest and most palpable lies that were ever attempted to be imposed on the credulity of mankind.<sup>30</sup>

The same year, Sir Francis Drake and Sir John Hawkins undertook a more important expedition against the Spanish settlements in America; and they carried with them six ships of the queen's and twenty more, which either were fitted out at their own charge, or were furnished them by private adventurers. Sir Thomas Baskerville was appointed commander of the land forces which they carried on board. Their first design was to attempt Porto Rico, where they knew a rich carrack was at that time stationed; but as they had not preserved the requisite secrecy, a pinnace, having strayed from the fleet, was taken by the Spaniards, and betrayed the intentions of the English. Preparations were made in that island for their reception; and the English fleet, notwithstanding the brave assault which they made on the enemy, was repulsed with loss. Hawkins soon after died; and Drake pursued his voyage to Nombre de Dios, on the Isthmus of Darien, where, having landed his men, he attempted to pass forward to Panama, with a view of plundering that place, or, if he found such a scheme practicable, of keeping and fortifying it. But he met not with the same facility which had attended his first enterprises in those parts. The Spaniards, taught by experience, had everywhere fortified the passes, and had stationed troops in the woods, who so infested the English by continual alarms and skirmishes that they were obliged to return without being able to effect anything. Drake himself, from the intemperance of the climate, the fatigues of his journey, and the vexation of his disappointment, was seized with a distemper, of which he soon after died. Sir Thomas Baskerville took the command of the fleet, which was in a weak condition; and after having fought a battle, near Cuba, with a Spanish fleet, of which the event was not decisive, he returned to England. The Spaniards suffered some loss from this enterprise, but the English reaped no profit.<sup>31</sup>

The bad success of this enterprise in the Indies made the English rather attempt the Spanish dominions in Europe, where, they heard, Philip was making great preparations for a new invasion of England. A powerful fleet was equipped at Plymouth, consisting of a hundred and seventy vessels, seventeen of which were capital ships of war, the

<sup>30</sup> Camden, p. 584.

<sup>31</sup> Monson, p. 167.

rest tenders and small vessels. Twenty ships were added by the Hollanders. In this fleet there were computed to be embarked six thousand three hundred and sixty soldiers, a thousand volunteers, and six thousand seven hundred and seventy-two seamen, besides the Dutch. The land forces were commanded by the Earl of Essex; the navy by Lord Effingham, high admiral. Both these commanders had expended great sums of their own in the armament, for such was the spirit of Elizabeth's reign. Lord Thomas Howard, Sir Walter Raleigh, Sir Francis Vere, Sir George Carew, and Sir Coniers Clifford had commands in this expedition, and were appointed counsel to the general and admiral.<sup>32</sup>

The fleet set sail on the 1st of June, 1596; and, meeting with a fair wind, bent its course to Cadiz, at which place, by sealed orders delivered to all the captains, the general rendezvous was appointed. They sent before them some armed tenders, which intercepted every ship that could carry intelligence to the enemy; and they themselves were so fortunate, when they came near Cadiz, as to take an Irish vessel, by which they learned that that port was full of merchant ships of great value, and that the Spaniards lived in perfect security, without any apprehensions of an enemy. This intelligence much encouraged the English fleet, and gave them the prospect of a fortunate issue to the enterprise.

After a fruitless attempt to land at St. Sebastian, on the western side of the island of Cadiz, it was, upon deliberation, resolved by the council of war to attack the ships and galleys in the bay. This attempt was deemed rash; and the admiral himself, who was cautious in his temper, had entertained great scruples with regard to it. But Essex strenuously recommended the enterprise; and when he found the resolution at last taken, he threw his hat into the sea, and gave symptoms of the most extravagant joy. He felt, however, a great mortification when Effingham informed him that the queen, anxious for his safety, and dreading the effects of his youthful ardor, had secretly given orders that he should not be permitted to command the van in the attack.<sup>33</sup> That duty was performed by Sir Walter Raleigh and Lord Thomas Howard; but Essex no sooner came within reach of the enemy than he forgot the promise which the admiral had exacted from him, to keep in the midst of the fleet; he broke through, and pressed

<sup>32</sup> Camden, p. 591.

<sup>33</sup> Monson, p. 196.

forward into the thickest of the fire. Emulation for glory, avidity of plunder, animosity against the Spaniards, proved incentives to every one; and the enemy was soon obliged to slip anchor and retreat farther into the bay, where they ran many of their ships aground. Essex then landed his men at the fort of Puntal, and immediately marched to the attack of Cadiz, which the impetuous valor of the English soon carried sword in hand. The generosity of Essex, not inferior to his valor, made him stop the slaughter, and treat his prisoners with the greatest humanity, and even affability and kindness. The English made rich plunder in the city, but missed of a much richer by the resolution which the Duke of Medina, the Spanish admiral, took, of setting fire to the ships, in order to prevent their falling into the hands of the enemy. It was computed that the loss which the Spaniards sustained in this enterprise amounted to twenty millions of ducats,<sup>34</sup> besides the indignity which that proud and ambitious people suffered from the sacking of one of their chief cities, and destroying in their harbor a fleet of such force and value.

Essex, all on fire for glory, regarded this great success only as a step for future achievements. He insisted on keeping possession of Cadiz; and he undertook, with four hundred men and three months' provisions, to defend the place till succors should arrive from England; but all the other seamen and soldiers were satisfied with the honor which they had acquired, and were impatient to return home in order to secure their plunder. Every other proposal of Essex to annoy the enemy met with a like reception—his scheme for intercepting the carracks at the Azores, for assaulting the Groine, for taking St. Andero and St. Sebastian; and the English, finding it so difficult to drag this impatient warrior from the enemy, at last left him on the Spanish coast, attended by a very few ships. He complained much to the queen of their want of spirit in this enterprise; nor was she pleased that they had returned without attempting to intercept the Indian fleet;<sup>35</sup> but the great success in the enterprise of Cadiz had covered all their miscarriages. And that princess, though she admired the lofty genius of Essex, could not forbear expressing an esteem for the other officers.<sup>36</sup> The admiral was created Earl of Nottingham; and his promotion gave great disgust

<sup>34</sup> Birch's Memoirs, vol. ii. p. 97.

<sup>36</sup> Camden, p. 593.

<sup>35</sup> Birch's Memoirs, vol. ii. p. 121.

to Essex.<sup>37</sup> In the preamble of the patent it was said that the new dignity was conferred on him on account of his good services in taking Cadiz and destroying the Spanish ships—a merit which Essex pretended to belong solely to himself, and he offered to maintain this plea by single combat against the Earl of Nottingham, or his sons, or any of his kindred.

The achievements in the subsequent year proved not so fortunate; but as the Indian fleet very narrowly escaped the English, Philip had still reason to see the great hazard and disadvantage of that war in which he was engaged, and the superiority which the English, by their naval power and their situation, had acquired over him. The queen having received intelligence that the Spaniards, though their fleets were so much shattered and destroyed by the expedition to Cadiz, were preparing a squadron at Ferrol and the Groine, and were marching troops thither, with a view of making a descent on Ireland, was resolved to prevent their enterprise, and to destroy the shipping in these harbors. She prepared a large fleet of a hundred and twenty sail, of which seventeen were her own ships, forty-three were smaller vessels, and the rest tenders and victuallers: she embarked on board this fleet five thousand new-levied soldiers, and added a thousand veteran troops, whom Sir Francis Vere brought from the Netherlands. The Earl of Essex, commander-in-chief both of the land and sea forces, was at the head of one squadron; Lord Thomas Howard was appointed vice-admiral of another, Sir Walter Raleigh of the third; Lord Mountjoy commanded the land forces under Essex; Vere was appointed marshal, Sir George Carew lieutenant of the ordnance, and Sir Christopher Blount first colonel. The Earls of Rutland and Southampton, the Lords Grey, Cromwell, and Rich, with several other persons of distinction, embarked as volunteers. Essex declared his resolution either to destroy the new armada which threatened England, or to perish in the attempt.

This powerful fleet set sail from Plymouth, but were no sooner out of harbor than they met with a furious storm, which shattered and dispersed them; and, before they could be refitted, Essex found that their provisions were so far spent that it would not be safe to carry so numerous an army along with him. He dismissed, therefore, all the soldiers, except the thousand veterans under Vere; and,

<sup>37</sup> Sidney Papers, vol. ii. p. 77.



laying aside all thoughts of attacking Ferrol and the Groine, he confined the object of his expedition to the intercepting of the Indian fleet, which had at first been considered only as the second enterprise which he was to attempt.

The Indian fleet in that age, by reason of the imperfection of navigation, had a stated course as well as season, both in their going out and in their return; and there were certain islands at which, as at fixed stages, they always touched, and where they took in water and provisions. The Azores being one of these places, where about this time the fleet was expected, Essex bent his course thither; and he informed Raleigh that he, on his arrival, intended to attack Fayal, one of these islands. By some accident the squadrons were separated, and Raleigh, arriving first before Fayal, thought it more prudent, after waiting some time for the general, to begin the attack alone, lest the inhabitants should, by further delay, have leisure to make preparations for their defence. He succeeded in the enterprise; but Essex, jealous of Raleigh, expressed great displeasure at his conduct, and construed it as an intention of robbing the general of the glory which attended that action: he cashiered, therefore, Sidney, Bret, Berry, and others who had concurred in the attempt; and would have proceeded to inflict the same punishment on Raleigh himself had not Lord Thomas Howard interposed with his good offices, and persuaded Raleigh, though high-spirited, to make submissions to the general. Essex, who was placable as well as hasty and passionate, was soon appeased, and both received Raleigh into favor, and restored the other officers to their commands.<sup>38</sup> This incident, however, though the quarrel was seemingly accommodated, laid the first foundation of that violent animosity which afterwards took place between these two gallant commanders.

Essex made next a disposition proper for intercepting the Indian galleons; and Sir William Monson, whose station was the most remote of the fleet, having fallen in with them, made the signals which had been agreed on. That able officer, in his *Memoirs*, ascribes Essex's failure, when he was so near attaining so mighty an advantage, to his want of experience in seamanship; and the account which he gives of the errors committed by that nobleman appears very reasonable as well as candid.<sup>39</sup> The Spanish fleet, finding that the enemy was

<sup>38</sup> Monson, p. 173.

<sup>39</sup> Monson, p. 174.

upon them, made all sail possible to the Terceras, and got into the safe and well-fortified harbor of Angra before the English fleet could overtake them. Essex intercepted only three ships; which, however, were so rich as to repay all the charges of the expedition.

The causes of the miscarriage in this enterprise were much canvassed in England upon the return of the fleet; and, though the courtiers took part differently, as they affected either Essex or Raleigh, the people in general, who bore an extreme regard to the gallantry, spirit, and generosity of the former, were inclined to justify every circumstance of his conduct. The queen, who loved the one as much as she esteemed the other, maintained a kind of neutrality, and endeavored to share her favors with an impartial hand between the parties. Sir Robert Cecil, second son of Lord Burleigh, was a courtier of promising hopes, much connected with Raleigh; and she made him secretary of state, preferably to Sir Thomas Bodley, whom Essex recommended for that office. But not to disgust Essex, she promoted him to the dignity of Earl Marshal of England, an office which had been vacant since the death of the Earl of Shrewsbury. Essex might perceive from this conduct that she never intended to give him the entire ascendant over his rivals, and might thence learn the necessity of moderation and caution. But his temper was too high for submission, his behavior too open and candid to practise the arts of a court; and his free sallies, while they rendered him but more amiable in the eyes of good judges, gave his enemies many advantages against him.

The war with Spain, though successful, having exhausted the queen's exchequer, she was obliged to assemble a Parliament; where Yelverton, a lawyer, was chosen Speaker of the House of Commons.<sup>40</sup> Elizabeth took care, by the mouth of Sir Thomas Egerton, lord keeper, to inform this assembly of the necessity of a supply. She said that the wars formerly waged in Europe had commonly been conducted by the parties without further view than to gain a few towns, or at most a province, from each other; but the object of the present hostilities on the part of Spain was no other than utterly to bereave England of her religion, her liberty, and her independence: that these blessings, however, she herself had hitherto been able to preserve, in spite of the devil, the pope, and the Spanish tyrant, and all the mischiev-

<sup>40</sup> See note [RR] at the end of the volume.

ous designs of all her enemies; that in this contest she had disbursed a sum triple to all the Parliamentary supplies granted her, and, besides expending her ordinary revenues, had been obliged to sell many of the crown-lands: and that she could not doubt but her subjects, in a cause where their own honor and interest were so deeply concerned, would willingly contribute to such moderate taxations as should be found necessary for the common defence.<sup>41</sup> The Parliament granted her three subsidies and six fifteenths, the same supply which had been given four years before, but which had then appeared so unusual that they had voted it should never afterwards be regarded as a precedent.

The Commons this session ventured to engage in two controversies about forms with the House of Peers—a prelude to those encroachments which, as they assumed more courage, they afterwards made upon the prerogatives of the crown. They complained that the Lords failed in civility to them by receiving their messages sitting, with their hats on, and that the keeper returned an answer in the same negligent posture; but the Upper House proved to their full satisfaction that they were not entitled, by custom and the usage of Parliament, to any more respect.<sup>42</sup> Some amendments had been made by the Lords to a bill sent up by the Commons, and these amendments were written on parchment and returned with the bill to the Commons. The Lower House took umbrage at the novelty: they pretended that these amendments ought to have been written on paper, not on parchment; and they complained of this innovation to the Peers. The Peers replied that they expected not such a frivolous objection from the gravity of the House, and that it was not material whether the amendments were written on parchment or on paper, nor whether the paper were white, black, or brown. The Commons were offended at this reply, which seemed to contain a mockery of them; and they complained of it, though without obtaining any satisfaction.<sup>43</sup>

An application was made, by way of petition to the queen, from the Lower House, against monopolies, an abuse which had arisen to an enormous height; and they received a gracious though a general answer, for which they returned their thankful acknowledgments.<sup>44</sup> But, not to give them

<sup>41</sup> D'Ewes, pp. 525, 527. Townsend, p. 79.

<sup>42</sup> D'Ewes, pp. 539, 540, 580, 585. Townsend, pp. 93, 94, 95.

<sup>43</sup> D'Ewes, pp. 576, 577.

<sup>44</sup> D'Ewes, pp. 570, 573.

too much encouragement in such applications, she told them, in the speech which she delivered at their dissolution, "that with regard to these patents, she hoped that her dutiful and loving subjects would not take away her prerogative, which is the chief flower in her garden, and the principal and head pearl in her crown and diadem; but that they would rather leave these matters to her disposal."<sup>45</sup> The Commons also took notice this session of some transactions in the court of high commission, but not till they had previously obtained permission from her majesty to that purpose.<sup>46</sup>

[1598.] Elizabeth had reason to foresee that parliamentary supplies would now become more necessary to her than ever, and that the chief burden of the war with Spain would thenceforth lie upon England. Henry had received an overture for peace with Philip; but, before he would proceed to a negotiation, he gave intelligence of it to his allies, the queen and the States, that, if possible, a general pacification might be made by common agreement. These two powers sent ambassadors to France, in order to remonstrate against peace—the queen, Sir Robert Cecil and Henry Herbert; the States, Justin Nassau and John Barnevelt. Henry said to these ministers that his early education had been amid war and danger, and he had passed the whole course of his life either in arms or in military preparations; that, after the proofs which he had given of his alacrity in the field, no one could doubt but he would willingly, for his part, have continued in a course of life to which he was now habituated, till the common enemy were reduced to such a condition as no longer to give umbrage either to him or to his allies; that no private interests of his own, not even those of his people, nothing but the most invincible necessity, could ever induce him to think of a separate peace with Philip, or make him embrace measures not entirely conformable to the wishes of all his confederates; that his kingdom, torn with the convulsions and civil wars of near half a century, required some interval of repose ere it could reach a condition in which it might sustain itself, much more support its allies; that, after the minds of his subjects were composed to tranquillity and accustomed to obedience, after his finances were brought into order, and after agriculture and the arts were restored, France, instead of being a burden, as at present, to her confederates, would be able to lend them effectual succor, and amply to repay them all the

<sup>45</sup> D'Ewes, p. 547.

<sup>46</sup> D'Ewes, pp. 557, 558.



assistance which she had received during her calamities and that, if the ambition of Spain would not at present grant them upon terms as they should think reasonable, he hoped that in a little time he should attain such a situation as would enable him to mediate more effectually, and with more decisive authority, in their behalf.

The ambassadors were sensible that these reasons were not feigned, and they therefore remonstrated with the less vehemence against the measures which they saw Henry was determined to pursue. The States knew that that monarch was interested never to permit their final ruin; and, having received private assurances that he would still, notwithstanding the peace, give them assistance, both of men and money, they were well pleased to remain on terms of amity with him. His greatest concern was to give satisfaction to Elizabeth for this breach of treaty. He had a cordial esteem for that princess, a sympathy of manners, and a gratitude for the extraordinary favors which he had received from her during his greatest difficulties; and he used every expedient to apologize and atone for that measure which necessity extorted from him. But as Spain refused to treat with the Dutch as a free state, and Elizabeth would not negotiate without her ally, Henry found himself obliged to conclude at Vervins a separate peace, by which he recovered possession of all the places seized by Spain during the course of the civil wars, and procured to himself leisure to pursue the domestic settlement of his kingdom. His capacity for the arts of peace was not inferior to his military talents; and in a little time, by his frugality, order, and wise government, he raised France from the desolation and misery in which she was involved to a more flourishing condition than she had ever before enjoyed.

The queen knew that she could also, whenever she pleased, finish the war on equitable terms; and that Philip, having no claims upon her, would be glad to free himself from an enemy who had foiled him in every contest, and who still had it so much in her power to make him feel the weight of her arms. Some of her wisest counsellors, particularly the treasurer, advised her to embrace pacific measures, and set before her the advantages of tranquillity, security, and frugality as more considerable than any success which could attend the greatest victories. But this high-spirited princess, though at first averse to war, seemed now to have attained such an ascendant over the enemy that she was unwilling to stop

the course of her prosperous fortune. She considered that her situation and her past victories had given her entire security against any dangerous invasion, and the war must thenceforth be conducted by sudden enterprises and naval expeditions, in which she possessed an undoubted superiority; that the weak condition of Philip in the Indies opened to her the view of the most durable advantages, and the yearly return of his treasure by sea afforded a continued prospect of important though more temporary successes; that, after his peace with France, if she, also, should consent to an accommodation, he would be able to turn his whole force against the revolted provinces of the Netherlands, which, though they had surprisingly increased their power by commerce and good government, were still unable, if not supported by their confederates, to maintain war against so potent a monarch; and that, as her defence of that commonwealth was the original ground of the quarrel, it was unsafe as well as dishonorable to abandon its cause till she had placed it in a state of greater security.

These reasons were frequently inculcated on her by the Earl of Essex, whose passion for glory as well as his military talents made him earnestly desire the continuance of war, from which he expected to reap so much advantage and distinction. The rivalry between this nobleman and Lord Burleigh made each of them insist the more strenuously on his own counsel; but, as Essex's person was agreeable to the queen, as well as his advice conformable to her inclinations, the favorite seemed daily to acquire an ascendant over the minister. Had he been endowed with caution and self-command equal to his shining qualities, he would have so riveted himself in the queen's confidence that none of his enemies had ever been able to impeach his credit. But his lofty spirit could ill submit to that implicit deference which her temper required, and which she had ever been accustomed to receive from all her subjects. Being once engaged in a dispute with her about the choice of her governor for Ireland, he was so heated in the argument that he entirely forgot the rules, both of duty and civility, and turned his back upon her in a contemptuous manner. Her anger, naturally prompt and violent, rose at this provocation, and she instantly gave him a box on the ear, adding a passionate expression suited to his impertinence. Instead of recollecting himself, and making the submissions due to her sex and station, he clapped his hand to his sword, and swore that he

would not bear such usage were it from Henry VIII. himself, and he immediately withdrew from court. Egerton, the chancellor, who loved Essex, exhorted him to repair his indiscretion by proper acknowledgments, and entreated him not to give that triumph to his enemies, that affliction to his friends, which must ensue from his supporting a contest with his sovereign and deserting the service of his country. But Essex was deeply stung with the dishonor which he had received, and seemed to think that an insult which might be pardoned in a woman was become a mortal affront when it came from his sovereign. "If the vilest of all indignities," said he, "is done me, does religion enforce me to sue for pardon? Doth God require it? Is it impiety not to do it? Why, cannot princes err? Cannot subjects receive wrong? Is an earthly power infinite? Pardon me, my lord, I can never subscribe to these principles. Let Solomon's fool laugh when he is stricken; let those that mean to make their profit of princes show no sense of princes' injuries; let *them* acknowledge an infinite absoluteness on earth that do not believe an absolute infiniteness in heaven" (alluding probably to the character and conduct of Sir Walter Raleigh, who lay under the reproach of impiety). "As for me," continued he, "I have received wrong, I feel it; my cause is good, I know it; and whatsoever happens, all the powers on earth can never exert more strength and constancy in oppressing than I can show in suffering everything that can or shall be imposed upon me. Your lordship, in the beginning of your letter, makes me a player and yourself a looker-on, and me a player of my own game so you may see more than I; but give me leave to tell you that since you do but see and I do suffer, I must of necessity feel more than you."<sup>47</sup>

This spirited letter was shown by Essex to his friends, and they were so imprudent as to disperse copies of it. Yet, notwithstanding this additional provocation, the queen's partiality was so prevalent that she reinstated him in his former favor; and her kindness to him appeared rather to have acquired new force from this short interval of anger and resentment. The death of Burleigh, his antagonist, which happened about the same time, seemed to insure him constant possession of the queen's confidence; and nothing, indeed, but his own indiscretion could thenceforth have shaken his well established credit. Lord Burleigh died in

<sup>47</sup> See note [SS] at the end of the volume.

an advanced age, and, by a rare fortune, was equally regretted by his sovereign and the people. He had risen gradually, from small beginnings, by the mere force of merit; and though his authority was never entirely absolute or uncontrolled with the queen, he was still, during the course of near forty years, regarded as her principal minister. None of her other inclinations or affections could ever overcome her confidence in so useful a councillor; and, as he had had the generosity or good sense to pay assiduous court to her during her sister's reign, when it was dangerous to appear her friend, she thought herself bound in gratitude, when she mounted the throne, to persevere in her attachments to him. He seems not to have possessed any shining talents of address, eloquence, or imagination, and was chiefly distinguished by solidity of understanding, probity of manners, and indefatigable application in business—virtues which, if they do not always enable a man to attain high stations, do certainly qualify him best for filling them. Of all the queen's ministers, he alone left a considerable fortune to his posterity—a fortune not acquired by rapine or oppression, but gained by the regular profits of his offices and preserved by frugality.

The last act of this able minister was the concluding of a new treaty with the Dutch, who, after being in some measure deserted by the King of France, were glad to preserve the queen's alliance by submitting to any terms which she pleased to acquire of them. The debt which they owed her was now settled at eight hundred thousand pounds. Of this sum they agreed to pay, during the war, thirty thousand pounds a year; and these payments were to continue till four hundred thousand pounds of the debt should be extinguished. They engaged, also, during the time that England should continue the war with Spain, to pay the garrisons of the cautionary towns. They stipulated that if Spain should invade England, or the Isle of Wight, or Jersey, or Scilly, they should assist her with a body of five thousand foot and five hundred horse; and that in case she undertook any naval armament against Spain, they should join an equal number of ships to hers.<sup>48</sup> By this treaty the queen was eased of an annual charge of a hundred and twenty thousand pounds.

Soon after the death of Burleigh, the queen, who regretted extremely the loss of so wise and faithful a minister, was in-

<sup>48</sup> Rymer, vol. xvi. p. 340.



formed of the death of her capital enemy, Philip II., who, after languishing under many infirmities, expired in an advanced age at Madrid. This haughty prince, desirous of an accommodation with his revolted subjects in the Netherlands, but disdaining to make in his own name the concessions necessary for that purpose, had transferred to his daughter, married to Archduke Albert, the title to the Low Country provinces ; but as it was not expected that this princess could have any posterity, and as the reversion on failure of her issue was still reserved to the crown of Spain, the States considered this deed only as the change of a name, and they persisted with equal obstinacy in their resistance to the Spanish arms. The other powers, also, of Europe made no distinction between the courts of Brussels and Madrid ; and the secret opposition of France, as well as the avowed efforts of England, continued to operate against the progress of Albert as it had done against that of Philip.

## CHAPTER XLIV.

STATE OF IRELAND.—TYRONE'S REBELLION.—ESSEX SENT OVER TO IRELAND.—HIS ILL SUCCESS.—RETURNS TO ENGLAND.—IS DISGRACED.—HIS INTRIGUES.—HIS INSURRECTION.—HIS TRIAL AND EXECUTION.—FRENCH AFFAIRS.—MOUNTJOY'S SUCCESS IN IRELAND.—DEFEAT OF THE SPANIARDS AND IRISH.—A PARLIAMENT.—TYRONE'S SUBMISSION.—QUEEN'S SICKNESS—AND DEATH—AND CHARACTER.

[1599.] **THOUGH** the dominion of the English over Ireland had been seemingly established above four centuries, it may safely be affirmed that their authority had hitherto been little more than nominal. The Irish princes and nobles, divided among themselves, readily paid the exterior marks of obeisance to a power which they were not able to resist; but as no durable force was ever kept on foot to retain them in their duty, they relapsed still into their former state of independence. Too weak to introduce order and obedience among the rude inhabitants, the English authority was yet sufficient to check the growth of any enterprising genius among the natives; and, though it could bestow no true form of civil government, it was able to prevent the rise of any such form from the internal combination or policy of the Irish.<sup>1</sup>

Most of the English institutions, likewise, by which that island was governed, were to the last degree absurd, and such as no state before had ever thought of for preserving dominion over its conquered provinces.

The English nation, all on fire for the project of subduing France, a project whose success was the most improbable, and would to them have proved the most pernicious, neglected all other enterprises to which their situation so strongly invited them, and which, in time, would have brought them an accession of riches, grandeur, and security. The small army which they maintained in Ireland they never supplied regularly with pay; and as no money could be levied on the island, which possessed none, they gave

<sup>1</sup> Sir J. Davies, pp. 5, 6, 7, etc.

their soldiers the privileges of free quarter upon the natives. Rapine and insolence inflamed the hatred which prevailed between the conquerors and the conquered ; want of security among the Irish, introducing despair, nourished still more the sloth natural to that uncultivated people.

But the English carried further their ill-judged tyranny. Instead of inviting the Irish to adopt the more civilized customs of their conquerors, they even refused, though earnestly solicited, to communicate to them the privilege of their laws, and everywhere marked them out as aliens and as enemies. Thrown out of the protection of justice, the natives could find no security but in force ; and, flying the neighborhood of cities, which they could not approach with safety, they sheltered themselves in their marches and forests from the insolence of their inhuman masters. Being treated like wild beasts, they became such ; and joining the ardor of revenge to their yet untamed barbarity, they grew every day more intractable and more dangerous.<sup>2</sup>

As the English princes deemed the conquest of the dispersed Irish to be more the object of time and patience than the source of military glory, they willingly delegated that office to private adventurers, who, enlisting soldiers at their own charge, reduced provinces of that island, which they converted to their own profit. Separate jurisdictions and principalities were established by these lordly conquerors ; the power of peace and war was assumed ; military law was exercised over the Irish, whom they subdued, and, by degrees, over the English, by whose assistance they conquered ; and, after their authority had once taken root, deeming the English institutions less favorable to barbarous dominion, they degenerated into mere Irish, and abandoned the garb, language, manners, and laws of their mother country.<sup>3</sup>

By all this imprudent conduct of England, the natives of its dependent state remained still in that abject condition into which the northern and western parts of Europe were sunk before they received civility and slavery from the refined policy and irresistible bravery of Rome. Even at the end of the sixteenth century, when every Christian nation was cultivating with ardor every civil art of life, that island, lying in a temperate climate, enjoying a fertile soil, accessible in its situation, possessed of innumerable harbors, was still, notwithstanding these advantages, inhabited by a

<sup>2</sup> Sir J. Davies, pp. 102, 103, etc.

<sup>3</sup> Sir J. Davies, pp. 133, 134, etc.

people whose customs and manners approached nearer those of savages than of barbarians.<sup>4</sup>

As the rudeness and ignorance of the Irish were extreme, they were sunk below the reach of that curiosity and love of novelty by which every other people in Europe had been seized at the beginning of that century, and which had engaged them in innovations and religious disputes with which they were still so violently agitated. The ancient superstition, the practices and observances of their fathers, mingled and polluted with many wild opinions, still maintained an unshaken empire over them; and the example of the English alone was sufficient to render the reformation odious to the prejudiced and discontented Irish. The old opposition of manners, laws, and interest was now inflamed by religious antipathy; and the subduing and civilizing of that country seemed to become every day more difficult and more impracticable.

The animosity against the English was carried so far by the Irish that in an insurrection raised by two sons of the Earl of Clanricarde, they put to the sword all the inhabitants of the town of Athenry, though Irish, because they began to conform themselves to English customs, and had embraced a more civilized form of life than had been practised by their ancestors.<sup>5</sup>

The usual revenue of Ireland amounted only to six thousand pounds a year;<sup>6</sup> the queen, though with much repining,<sup>7</sup> commonly added twenty thousand more, which she remitted from England, and with this small revenue a body of a thousand men was supported, which on extraordinary emergencies was augmented to two thousand.<sup>8</sup> No wonder that a force so disproportioned to the object, instead of subduing a mutinous kingdom, served rather to provoke the natives, and to excite those frequent insurrections which still further inflamed the animosity between the two nations, and increased the disorders to which the Irish were naturally subject.

In 1560, Shan O'Neale, or the Great O'Neale, as the Irish called him, because head of that potent clan, raised a rebellion in Ulster; but after some skirmishes he was received into favor, upon his submission, and his promise of a more dutiful behavior for the future.<sup>9</sup> This impunity tempted him to

<sup>4</sup> See Spenser's Account of Ireland, throughout.

<sup>5</sup> Camden, p. 457.

<sup>6</sup> Memoirs of the Sidneys, vol. i. p. 86.

<sup>7</sup> Cox, p. 342. Sidney, vol. i. pp. 85, 200.

<sup>8</sup> Camden, p. 542. Sidney, vol. i. pp. 65, 109, 183, 184.

<sup>9</sup> Camden, pp. 385, 391.



undertake a new insurrection in 1567; but, being pushed by Sir Henry Sidney, lord deputy, he retreated into Clondeboy, and, rather than submit to the English, he put himself into the hands of some Scottish islanders, who commonly infested those parts by their incursions. The Scots, who retained a quarrel against him on account of former injuries, violated the laws of hospitality, and murdered him at a festival to which they had invited him. He was a man equally noted for his pride, his violence, his debaucheries, and his hatred to the English nation. He is said to have put some of his followers to death because they endeavored to introduce the use of bread after the English fashion.<sup>10</sup> Though so violent an enemy to luxury, he was extremely addicted to riot, and was accustomed, after his intemperance had thrown him into a fever, to plunge his body into mire, that he might allay the flame which he had raised by his former excesses.<sup>11</sup> Such was the life led by this haughty barbarian, who scorned the title of the Earl of Tyrone, which Elizabeth intended to have restored to him, and who assumed the rank and appellation of King of Ulster. He used also to say that though the queen was his sovereign lady, he never made peace with her but at her seeking.<sup>12</sup>

Sir Henry Sidney was one of the wisest and most active governors that Ireland had enjoyed for several reigns;<sup>13</sup> and he possessed his authority eleven years, during which he struggled with many difficulties, and made some progress in repressing those disorders which had become inveterate among the people. The Earl of Desmond, in 1569, gave him disturbance, from the hereditary animosity which prevailed between that nobleman and the Earl of Ormond, descended from the only family established in Ireland that had steadily maintained its loyalty to the English crown.<sup>14</sup> The Earl of Thomond, in 1570, attempted a rebellion in Connaught, but was obliged to fly into France before his designs were ripe for execution. Stukely, another fugitive, found such credit with the pope, Gregory XIII., that he flattered that pontiff with the prospect of making his nephew, Buon Campagno, King of Ireland; and, as if this project had already taken effect, he accepted the title of Marquis of Leinster from the new sovereign.<sup>15</sup> He passed next into Spain, and after having received much encouragement and great rewards from Philip, who intended to employ him as an instrument in

<sup>10</sup> Camden, p. 409.<sup>11</sup> Ibid. Cox, p. 324.<sup>12</sup> Cox, p. 321.<sup>13</sup> Cox, p. 350.<sup>14</sup> Camden, p. 424.<sup>15</sup> Camden, p. 430. Cox, p. 354.

disturbing Elizabeth, he was found to possess too little interest for executing those high promises which he had made to that monarch. He retired into Portugal, and, following the fortunes of Don Sebastian, he perished with that gallant prince, in his bold but unfortunate expedition against the Moors.

Lord Gray, after some interval, succeeded to the government of Ireland, and in 1579 suppressed a new rebellion of the Earl of Desmond, though supported by a body of Spaniards and Italians. The rebellion of the Bourks followed a few years after, occasioned by the strict and equitable administration of Sir Richard Bingham, Governor of Connaught, who endeavored to suppress the tyranny of the chieftains over their vassals.<sup>16</sup> The queen, finding Ireland so burdensome to her, tried several expedients for reducing it to a state of greater order and submission. She encouraged the Earl of Essex, father to that nobleman who was afterwards her favorite, to attempt the subduing and planting of Clandeboy, Ferny, and other territories, part of some late forfeitures; but that enterprise proved unfortunate, and Essex died of a distemper, occasioned, as is supposed, by the vexation which he had conceived from his disappointments. A university was founded in Dublin, with a view of introducing arts and learning into that kingdom and civilizing the uncultivated manners of the inhabitants.<sup>17</sup> But the most unhappy expedient employed in the government of Ireland was that made use of in 1585, by Sir John Perrot, at that time lord deputy: he put arms into the hands of the Irish inhabitants of Ulster, in order to enable them, without the assistance of the government, to repress the incursions of the Scottish islanders, by which these parts were much infested.<sup>18</sup> At the same time, the invitation of Philip, joined to their zeal for the Catholic religion, engaged many of the gentry to serve in the Low Country wars; and thus Ireland, being provided with officers and soldiers, with discipline and arms, became formidable to the English, and was thenceforth able to maintain a more regular war against her ancient masters.

Hugh O'Neale, nephew to Shan O'Neale, had been raised by the queen to the dignity of Earl of Tyrone; but, having murdered his cousin, son of that rebel, and being acknowledged head of his clan, he preferred the pride of

<sup>16</sup> Stowe, p. 720.

<sup>17</sup> Camden, p. 566.

<sup>18</sup> Naunton's *Fragmenta Regalia*, p. 203.

barbarous license and dominion to the pleasures of opulence and tranquillity, and he fomented all those disorders by which he hoped to weaken or overturn the English government. He was noted for the vices of perfidy and cruelty, so common among uncultivated nations, and was also eminent for courage, a virtue which their disorderly course of life requires, and which, notwithstanding, being less supported by the principle of honor, is commonly more precarious among them than among a civilized people. Tyrone, actuated by this spirit, secretly fomented the discontents of the Maguires, O'Donnells, O'Rourks, Macmahons, and other rebels; yet, trusting to the influence of his deceitful oaths and professions, he put himself into the hands of Sir William Russel, who, in the year 1594, was sent over deputy to Ireland. Contrary to the advice and protestation of Sir Henry Bagnal, marshal of the army, he was dismissed; and, returning to his own country, he embraced the resolution of raising an open rebellion, and of relying no longer on the lenity or inexperience of the English government. He entered into a correspondence with Spain: he procured thence a supply of arms and ammunition; and, having united all the Irish chieftains in a dependence upon himself, he began to be regarded as a formidable enemy.

The native Irish were so poor that their country afforded few other commodities than cattle and oatmeal, which were easily concealed or driven away on the approach of the enemy; and as Elizabeth was averse to the expense requisite for supporting her armies, the English found much difficulty in pushing their advantages, and in pursuing the rebels into the bogs, woods, and other fastnesses to which they retreated. These motives rendered Sir John Norris, who commanded the English army, the more willing to hearken to any proposals of truce or accommodation made him by Tyrone; and, after the war was spun out by these artifices for some years, that gallant Englishman, finding he had been deceived by treacherous promises, and that he had performed nothing worthy of his ancient reputation, was seized with a languishing distemper, and died of vexation and discontent. Sir Henry Bagnal, who succeeded him in the command, was still more unfortunate. As he advanced to relieve the fort of Blackwater, besieged by the rebels, he was surrounded in disadvantageous ground; his soldiers, discouraged by part of their powder accidentally taking fire, were put to flight; and though the pursuit was stopped by Montacute, who

commanded the English horse, fifteen hundred men, together with the general himself, were left dead upon the spot. This victory, so unusual to the Irish, roused their courage, supplied them with arms and ammunition, and raised the reputation of Tyrone, who assumed the character of the deliverer of his country and patron of Irish liberty.<sup>19</sup>

The English council were now sensible that the rebellion of Ireland was come to a dangerous head, and that the former temporizing arts of granting truces and pacifications to the rebels, and of allowing them to purchase pardons by resigning part of the plunder acquired during their insurrection, served only to encourage the spirit of mutiny and disorder among them. It was therefore resolved to push the war by more vigorous measures; and the queen cast her eye on Charles Blount, Lord Mountjoy, as a man who, though hitherto less accustomed to arms than to books and literature, was endowed, she thought, with talents equal to the undertaking. But the young Earl of Essex, ambitious of fame, and desirous of obtaining this government for himself, opposed the choice of Mountjoy, and represented the necessity of appointing for that important employment some person more experienced in war than this nobleman, more practised in business, and of higher quality and reputation. By this description, he was understood to mean himself;<sup>20</sup> and no sooner was his desire known than his enemies, even more zealously than his friends, conspired to gratify his wishes. Many of his friends thought that he never ought to consent, except for a short time, to accept of any employment which must remove him from court, and prevent him from cultivating that personal inclination which the queen so visibly bore him.<sup>21</sup> His enemies hoped that, if by his absence she had once leisure to forget the charms of his person and conversation, his impatient and lofty demeanor would soon disgust a princess who usually exacted such profound submission and implicit obedience from all her servants. But Essex was incapable of entering into such cautious views; and even Elizabeth, who was extremely desirous of subduing the Irish rebels, and who was much prepossessed in favor of Essex's genius, readily agreed to appoint him governor of Ireland, by the title of Lord Lieutenant. The more to encourage him in his undertaking, she granted him by his patent more extensive authority than had ever before been conferred on any lieutenant: the

<sup>19</sup> Cox, p. 415.<sup>20</sup> Bacon, vol. iv. p. 512.<sup>21</sup> Cabala, p. 79.



power of carrying on or finishing the war as he pleased, of pardoning the rebels, and of filling all the most considerable employments of the kingdom.<sup>22</sup> And to insure him of success, she levied a numerous army of sixteen thousand foot and thirteen hundred horse, which she afterwards augmented to twenty thousand foot and two thousand horse—a force which it was apprehended would be able in one campaign to overwhelm the rebels, and make an entire conquest of Ireland. Nor did Essex's enemies—the Earl of Nottingham, Sir Robert Cecil, Sir Walter Raleigh, and Lord Cobham—throw any obstacles in the way of these preparations; but hoped that the higher the queen's expectations of success were raised, the more difficult it would be for the event to correspond to them. In a like view, they rather seconded than opposed those exalted encomiums which Essex's numerous and sanguine friends dispersed of his high genius, of his elegant endowments, his heroic courage, his unbounded generosity, and his noble birth; nor were they displeased to observe that passionate fondness which the people everywhere expressed for this nobleman. These artful politicians had studied his character; and finding that his open and undaunted spirit, if taught temper and reserve from opposition, must become invincible, they resolved rather to give full breath to those sails which were already too much expanded, and to push him upon dangers of which he seemed to make such small account.<sup>23</sup> And, the better to make advantage of his indiscretions, spies were set upon all his actions and even expressions; and his vehement spirit, which, while he was in the midst of the court and environed by his rivals, was unacquainted with disguise, could not fail, after he thought himself surrounded by none but friends, to give a pretence for malignant suspicions and constructions.

Essex left London in the month of March, attended with the acclamations of the populace; and, what did him more honor, accompanied by a numerous train of nobility and gentry, who, from affection to his person, had attached themselves to his fortunes, and sought fame and military experience under so renowned a commander. The first act of authority which he exercised after his arrival in Ireland was an indiscretion, but of the generous kind; and in both these respects suitable to his character. He appointed his intimate friend, the Earl of Southampton, general of the horse, a nobleman who had incurred the queen's displeasure by

<sup>22</sup> Rymer, vol. xvi. p. 366.

<sup>23</sup> Camden. Osborne, p. 371.

secretly marrying without her consent, and whom she had therefore enjoined Essex not to employ in any command under him. She no sooner heard of this instance of disobedience than she reprimanded him, and ordered him to recall his commission to Southampton. But Essex, who had imagined that some reasons which he opposed to her first injunctions had satisfied her, had the imprudence to remonstrate against these second orders;<sup>24</sup> and it was not till she reiterated her commands that he could be prevailed on to displace his friend.

Essex, on his landing at Dublin, deliberated with the Irish council concerning the proper methods of carrying on the war against the rebels; and here he was guilty of a capital error, which was the ruin of his enterprise. He had always, while in England, blamed the conduct of former commanders, who artfully protracted the war, who harassed their troops in small enterprises, and who, by agreeing to truces and temporary pacifications with the rebels, had given them leisure to recruit their broken forces.<sup>25</sup> In conformity to these views, he had ever insisted upon leading his forces immediately into Ulster against Tyrone, the chief enemy; and his instructions had been drawn agreeably to these his declared resolutions. But the Irish councillors persuaded him that the season was too early for the enterprise, and that, as the morasses in which the northern Irish usually sheltered themselves would not as yet be passable to the English forces, it would be better to employ the present time in an expedition into Munster. Their secret reason for this advice was, that many of them possessed estates in that province, and were desirous to have the enemy dislodged from their neighborhood;<sup>26</sup> but the same selfish spirit which had induced them to give this counsel made them soon after disown it, when they found the bad consequences with which it was attended.<sup>27</sup>

Essex obliged all the rebels of Munster either to submit or to fly into the neighboring provinces; but as the Irish, from the greatness of the queen's preparations, had concluded that she intended to reduce them to total subjection, or even utterly to exterminate them, they considered their defence as a common cause; and the English forces were no sooner withdrawn than the inhabitants of Munster relapsed into

<sup>24</sup> Birch's Memoirs, vol. ii. pp. 421, 451.

<sup>25</sup> Birch's Memoirs, vol. ii. p. 431. Bacon, vol. iv. p. 512.

<sup>26</sup> Birch's Memoirs, vol. ii. p. 448.

<sup>27</sup> Winwood, vol. i. p. 140.

rebellion, and renewed their confederacy with their other countrymen. The army, meanwhile, by the fatigue of long and tedious marches, and by the influence of the climate, was become sickly, and on its return to Dublin, about the middle of July, was surprisingly diminished in number. The courage of the soldiers was even much abated; for, though they had prevailed in some lesser enterprises against Lord Cahir and others, yet they had sometimes met with more stout resistance than they expected from the Irish, whom they were wont to despise; and as they were raw troops and inexperienced, a considerable body of them had been put to flight at the Glins, by an inferior number of the enemy. Essex was so enraged at this misbehavior that he cashiered all his officers and decimated the private men.<sup>28</sup> But this act of severity, though necessary, had intimidated the soldiers and increased their aversion to the service.

The queen was extremely disgusted when she heard that so considerable a part of the season was consumed in these frivolous enterprises, and was still more surprised that Essex persevered in the same practice which he had so much condemned in others, and which he knew to be so much contrary to her purpose and intention. That nobleman, in order to give his troops leisure to recruit from their sickness and fatigue, left the main army in quarters, and marched with a small body of fifteen hundred men into the county of Ophelie against the O'Connors and O'Mores, whom he forced to a submission; but, on his return to Dublin, he found the army so much diminished that he wrote to the English council an account of its condition, and informed them that if he did not immediately receive a reinforcement of two thousand men, it would be impossible for him this season to attempt anything against Tyrone. That there might be no pretence for further inactivity, the queen immediately sent over the number demanded;<sup>29</sup> and Essex began at last to assemble his forces for the expedition into Ulster. The army was so averse to this enterprise, and so terrified with the reputation of Tyrone, that many of them counterfeited sickness, many of them deserted,<sup>30</sup> and Essex found that, after leaving the necessary garrison, he could scarcely lead four thousand men against the rebels. He marched, however, with his small army, but was soon sensible that in so advanced a season it would be impossible for him to effect

<sup>28</sup> Cox, p. 421.

<sup>29</sup> Birch's Memoirs, vol. ii. p. 430. Cox, p. 421.

<sup>30</sup> Sidney Letters, vol. ii. pp. 112, 113.

anything against an enemy who, though superior in number, was determined to avoid every decisive action. He hearkened, therefore, to a message sent him by Tyrone, who desired a conference; and a place near the two camps was appointed for that purpose. The generals met without any of their attendants, and a river ran between them, into which Tyrone entered to the depth of his saddle; but Essex stood on the opposite bank. After half an hour's conference, where Tyrone behaved with great submission to the lord lieutenant, a cessation of arms was concluded to the 1st of May, renewable from six weeks to six weeks; but which might be broken off by either party upon a fortnight's warning.<sup>31</sup> Essex also received from Tyrone proposals for a peace; in which that rebel had inserted many unreasonable and exorbitant conditions; and there appeared afterwards some reason to suspect that he had here commenced a very unjustifiable correspondence with the enemy.<sup>32</sup>

So unexpected an issue of an enterprise the greatest and most expensive that Elizabeth had ever undertaken provoked her extremely against Essex; and this disgust was much augmented by other circumstances of that nobleman's conduct. He wrote many letters to the queen and council, full of peevish and impatient expressions, complaining of his enemies, lamenting that their calumnies should be believed against him, and discovering symptoms of a mind equally haughty and discontented. She took care to inform him of her dissatisfaction, but commanded him to remain in Ireland till further orders.

Essex heard at once of Elizabeth's anger and of the promotion of his enemy, Sir Robert Cecil, to the office of master of the wards, an office to which he himself aspired; and dreading that, if he remained any longer absent, the queen would be totally alienated from him, he hastily embraced a resolution which he knew had once succeeded with the Earl of Leicester, the former favorite of Elizabeth. Leicester being informed, while in the Low Countries, that his mistress was extremely displeased with his conduct, disobeyed her orders by coming over to England; and having pacified her by his presence, by his apologies, and by his flattery and insinuation, disappointed all the expectations of his enemies.<sup>33</sup> Essex, therefore, weighing more the similarity

<sup>31</sup> Sidney Letters, vol. ii. p. 125.

<sup>32</sup> Winwood, vol. i. p. 307. State Trials. Bacon, vol. iv. pp. 514, 535, 537.

<sup>33</sup> Birch's Memoirs, vol. ii. p. 453.



of circumstances than the difference of character between himself and Leicester, immediately set out for England ; and, making speedy journeys, he arrived at court before any one was in the least apprised of his intentions.<sup>34</sup> Though besmeared with dirt and sweat, he hastened up stairs to the presence-chamber ; thence to the privy chamber ; nor stopped till he was in the queen's bed-chamber, who was newly risen, and was sitting with her hair about her face. He threw himself on his knees, kissed her hand, and had some private conference with her ; where he was so graciously received that on his departure he was heard to express great satisfaction, and to thank God that, though he had suffered much trouble and many storms abroad, he found a sweet calm at home.<sup>35</sup>

But this placability of Elizabeth was merely the result of her surprise, and of the momentary satisfaction which she felt on the sudden and unexpected appearance of her favorite ; after she had leisure for recollection, all his faults recurred to her, and she thought it necessary, by some severe discipline, to subdue that haughty, imperious spirit, who, presuming on her partiality, had pretended to domineer in her councils, to engross all her favor, and to act, in the most important affairs, without regard to her orders and instructions. When Essex waited on her in the afternoon, he found her extremely altered in her carriage towards him. She ordered him to be confined to his chamber, to be twice examined by the council ; and, though his answers were calm and submissive, she committed him to the custody of Lord Keeper Edgerton, and held him sequestered from all company, even from that of his countess ; nor was so much as the intercourse of letters permitted between them. Essex dropped many expressions of humiliation and sorrow, none of resentment : he professed an entire submission to the queen's will ; declared his intention of retiring into the country, and of leading thenceforth a private life, remote from courts and business. But, though he affected to be so entirely cured of his aspiring ambition, the vexation of this disappointment, and of the triumph gained by his enemies, preyed upon his haughty spirit, and he fell into a distemper which seemed to put his life in danger.

The queen had always declared to all the world, and even to the earl himself, that the purpose of her severity

<sup>34</sup> Winwood, vol. i. p. 118.

<sup>35</sup> Sidney Letters, vol. ii. p. 127.

was to correct, not to ruin him;<sup>36</sup> and when she heard of his sickness, she was not a little alarmed with his situation. She ordered eight physicians of the best reputation and experience to consult on his case; and, being informed that the issue was much to be apprehended, she sent Dr. James to him with some broth, and desired that physician to deliver him a message, which she probably deemed of still greater virtue, that if she thought such a step consistent with her honor, she would herself pay him a visit. The bystanders, who carefully observed her countenance, remarked that, in pronouncing these words, her eyes were suffused with tears.<sup>37</sup>

When the symptoms of the queen's returning affection towards Essex were known, they gave a sensible alarm to the faction which had declared their opposition to him. Sir Walter Raleigh, in particular, the most violent as well as the most ambitious of his enemies, was so affected with the appearance of this sudden revolution that he was seized with sickness in his turn, and the queen was obliged to apply the same salve to his wound, and to send him a favorable message, expressing her desire for his recovery.<sup>38</sup>

[1600.] The medicine which the queen administered to these aspiring rivals was successful with both, and Essex, being now allowed the company of his countess, and having entertained more promising hopes of his future fortunes, was so much restored in his health as to be thought past danger. A belief was instilled into Elizabeth that his dis-temper had been entirely counterfeit, in order to move her compassion,<sup>39</sup> and she relapsed into her former rigor against him. He wrote her a letter, and sent her a rich present on New-year's day, as was usual with the courtiers at that time; she read the letter, but rejected the present.<sup>40</sup> After some interval, however, of severity, she allowed him to retire to his own house; and though he remained still under custody, and was sequestered from all company, he was so grateful for this mark of lenity that he sent her a letter of thanks on the occasion. "This farther degree of goodness," says he, "doth sound in my ears as if your majesty spake these words: 'Die not, Essex; for, though I punish thine offence, and humble thee for thy good, yet will I one day be served again by thee.' My prostrate soul makes this answer: 'I

<sup>36</sup> Birch's Memoirs, pp. 441, 445.

<sup>37</sup> Sidney Letters, vol. ii. p. 151.

<sup>38</sup> Sidney Letters, vol. ii. p. 153.

Sidney Letters, vol. ii. p. 196.

<sup>39</sup> Sidney Letters, vol. ii. p. 139.

<sup>40</sup> Sidney Letters, vol. ii. pp. 155, 156.

hope for that blessed day.' And in expectation of it, all my afflictions of body and mind are humbly, patiently, and cheerfully borne by me." <sup>41</sup> The Countess of Essex, daughter of Sir Francis Walsingham, possessed, as well as her husband, a refined taste in literature; and the chief consolation which Essex enjoyed during this period of anxiety and expectation consisted in her company, and in reading with her those instructive and entertaining authors which, even during the time of his greatest prosperity, he had never entirely neglected.

There were several incidents which kept alive the queen's anger against Essex. Every account which she received from Ireland convinced her more and more of his misconduct in that government, and of the insignificant purposes to which he had employed so much force and treasure. Tyrone, so far from being quelled, had thought proper, in less than three months, to break the truce, and, joining with O'Donnell and other rebels, had overrun almost the whole kingdom. He boasted that he was certain of receiving a supply of men, money, and arms, from Spain; he pretended to be champion of the Catholic religion; and he openly exulted in the present of a phoenix plume, which the pope, Clement VIII., in order to encourage him in the prosecution of so good a cause, had consecrated and had conferred upon him. <sup>42</sup> The queen, that she might check his progress, returned to her former intention of appointing Mountjoy lord deputy; and though that nobleman, who was an intimate friend of Essex and desired his return to the government of Ireland, did at first very earnestly excuse himself, on account of his bad state of health, she obliged him to accept of the employment. Mountjoy found the island almost in a desperate condition; but, being a man of capacity and vigor, he was so little discouraged that he immediately advanced against Tyrone, in Ulster. He penetrated into the heart of that county, the chief seat of the rebels; he fortified Derry and Mount-Norris, in order to bridle the Irish; he chased them from the field, and obliged them to take shelter in the woods and morasses; he employed with equal success Sir George Carew in Munster; and by these promising enterprises he gave new life to the queen's authority in that island.

As the comparison of Mountjoy's administration with that of Essex contributed to alienate Elizabeth from her

<sup>41</sup> Birch's Memoirs, p. 444.

<sup>42</sup> Camden, p. 617.

favorite, she received additional disgust from the partiality of the people, who, prepossessed with an extravagant idea of Essex's merit, complained of the injustice done him by his removal from court, and by his confinement. Libels were secretly dispersed against Cecil and Raleigh, and all his enemies; and his popularity, which was always great, seemed rather to be increased than diminished by his misfortunes. Elizabeth, in order to justify to the public her conduct with regard to him, had often expressed her intentions of having him tried in the Star-chamber for his offences; but her tenderness for him prevailed at last over her severity; and she was contented to have him only examined by the privy council. The attorney-general, Coke, opened the cause against him, and treated him with the cruelty and insolence which that great lawyer usually exercised against the unfortunate. He displayed, in the strongest colors, all the faults committed by Essex in his administration of Ireland—his making Southampton general of the horse, contrary to the queen's injunctions; his deserting the enterprise against Tyrone, and marching to Leinster and Munster; his conferring knighthood on too many persons; his secret conference with Tyrone; and his sudden return from Ireland, in contempt of her majesty's commands. He also exaggerated the indignity of the conditions which Tyrone had been allowed to propose; odious and abominable conditions, said he; a public toleration of an idolatrous religion, pardon for himself and every traitor in Ireland, and full restitution of lands and possessions to all of them.<sup>43</sup> The solicitor-general, Fleming, insisted upon the wretched situation in which the earl had left that kingdom; and Francis, son of Sir Nicholas Bacon, who had been lord keeper in the beginning of the present reign, closed the charge with displaying the undutiful expressions contained in some letters written by the earl.

Essex, when he came to plead in his own defence, renounced with great submission and humility all pretensions to an apology; <sup>44</sup> and declared his resolution never, on this or any other occasion, to have any contest with his sovereign. He said that, having severed himself from the world, and abjured all sentiments of ambition, he had no scruple to confess every failing or error into which his youth, folly, or manifold infirmities might have betrayed him; that his

<sup>43</sup> Birch's Memoirs, vol. ii. p. 449.

<sup>44</sup> Sidney Letters, vol. ii. p. 200.



inward sorrow for his offences against her majesty was so profound that it exceeded all his outward crosses and afflictions, nor had he any scruple of submitting to a public confession of whatever she had been pleased to impute to him; that in his acknowledgments he retained only one reserve, which he never would relinquish but with his life, the assertion of a loyal and unpolluted heart, of an unfeigned affection, of an earnest desire ever to perform to her majesty the best service which his poor abilities would permit; and that if this sentiment were allowed by the council, he willingly acquiesced in any condemnation or sentence which they could pronounce against him. This submission was uttered with so much eloquence, and in so pathetic a manner, that it drew tears from many in the audience.<sup>45</sup> All the privy-councillors, in giving their judgment, made no scruple of doing the earl justice with regard to the loyalty of his intentions. Even Cecil, whom he believed his capital enemy, treated him with regard and humanity. And the sentence pronounced by the lord keeper (to which the council assented) was in these words: "If this cause," said he, "had been heard in the Star-chamber, my sentence must have been for as great a fine as ever was set upon any man's head in that court, together with perpetual confinement in that prison which belongeth to a man of his quality, the Tower. But since we are now in another place, and in a course of favor, my censure is that the Earl of Essex is not to execute the office of a councillor, nor that of earl marshal of England, nor of master of the ordnance; and to return to his own house, there to continue a prisoner till it shall please her majesty to release this and all the rest of his sentence."<sup>46</sup> The Earl of Cumberland made a slight opposition to this sentence; and said that if he thought it would stand, he would have required a little more time to deliberate; that he deemed it somewhat severe; and that any commander-in-chief might easily incur a like penalty. "But, however," added he, "in confidence of her majesty's mercy, I agree with the rest." The Earl of Worcester delivered his opinion in a couple of Latin verses importing that where the gods are offended, even misfortunes ought to be imputed as crimes, and that accident is no excuse for transgressions against the divinity.

Bacon, so much distinguished afterwards by his high

<sup>45</sup> Sidney Letters, vol. ii. pp. 200, 201.

<sup>46</sup> Birch's Memoirs, vol. ii. p. 454. Camden, pp. 626, 627.

offices, and still more by his profound genius for the sciences, was nearly allied to the Cecil family, being nephew to Lord Burleigh and cousin-german to the secretary ; but, notwithstanding his extraordinary talents, he had met with so little protection from his powerful relations that he had not yet obtained any preferment in the law, which was his profession. But Essex, who could distinguish merit, and who passionately loved it, had entered into an intimate friendship with Bacon, had zealously attempted, though without success, to procure him the office of solicitor-general ; and, in order to comfort his friend under the disappointment, had conferred on him a present of land to the value of eighteen hundred pounds.<sup>47</sup> The public could ill excuse Bacon's appearance before the Council against so munificent a benefactor, though he acted in obedience to the queen's commands. But she was so well pleased with his behavior that she imposed on him a new task, of drawing a narrative of that day's proceedings, in order to satisfy the public of the justice and lenity of her conduct. Bacon, who wanted firmness of character more than humanity, gave to the whole transaction the most favorable turn for Essex ; and, in particular, pointed out, in elaborate expression, the dutiful submission which that nobleman discovered in the defence that he made for his conduct. When he read the paper to her, she smiled at that passage, and observed to Bacon that old love, she saw, could not easily be forgotten. He replied that he hoped she meant that of herself.<sup>48</sup>

All the world, indeed, expected that Essex would soon be reinstated in his former credit,<sup>49</sup> perhaps, as is usual in reconcilements founded on inclination, would acquire an additional ascendant over the queen, and, after all his disgraces, would again appear more a favorite than ever. They were confirmed in this hope when they saw that, though he was still prohibited from appearing at court,<sup>50</sup> he was continued in his office of master of the horse, and was restored to his liberty, and that all his friends had access to him. Essex himself seemed determined to persevere in that conduct which had hitherto been so successful, and which the queen, by all this discipline, had endeavored to render habitual to him. He wrote to her that he kissed her majesty's hands, and the rod with which she had corrected him ; but that he could never recover his wonted cheerfulness till she deigned

<sup>47</sup> Cabala, p. 78.

<sup>48</sup> Cabala, p. 83.

<sup>49</sup> Winwood, vol. i. p. 254.

<sup>50</sup> Birch's Memoirs, vol. ii. p. 462.

to admit him to that presence which had ever been the chief source of his happiness and enjoyment; and that he had now resolved to make amends for his past errors, to retire into the country solitude, and say with Nebuchadnezzar, "Let my dwelling be with the beasts of the field, let me eat grass as an ox, and be wet with the dew of heaven, till it shall please the queen to restore me to my understanding." The queen was much pleased with these sentiments, and replied that she heartily wished his actions might correspond with his expressions; that he had tried her patience a long time, and it was but fitting she should now make some experiment of his submission; that her father would never have pardoned so much obstinacy; but that, if the furnace of affliction produced such good effects, she should ever after have the better opinion of her chemistry.<sup>51</sup>

The Earl of Essex possessed a monopoly of sweet wines; and as his patent was near expiring, he patiently expected that the queen would renew it, and he considered this event as the critical circumstance of his life, which would determine whether he could ever hope to be reinstated in credit and authority.<sup>52</sup> But Elizabeth, though gracious in her deportment, was of a temper somewhat haughty and severe; and being continually surrounded with Essex's enemies, means were found to persuade her that his lofty spirit was not yet sufficiently subdued, and that he must undergo this further trial before he could again be safely received into favor. She therefore denied his request; and even added, in a contemptuous style, that an ungovernable beast must be stinted in his provender.<sup>53</sup>

This rigor, pushed one step too far, proved the final ruin of this young nobleman, and was the source of infinite sorrow and vexation to the queen herself. Essex, who had with great difficulty so long subdued his proud spirit, and whose patience was now exhausted, imagining that the queen was entirely inexorable, burst at once all restraints of submission and of prudence, and determined to seek relief by proceeding to the utmost extremities against his enemies. Even during his greatest favor, he had ever been accustomed to carry matters with a high hand towards his sovereign; and as this practice gratified his own temper, and was sometimes successful, he had imprudently imagined that it was the only proper method of managing her.<sup>54</sup> But, being now reduced

<sup>51</sup> Camden, p. 628.

<sup>53</sup> Camden, p. 628.

<sup>52</sup> Birch's Memoirs, vol. ii. p. 472.

<sup>54</sup> Cabala, p. 79.

to despair, he gave entire reins to his violent disposition, and threw off all appearance of duty and respect. Intoxicated with the public favor, which he already possessed, he practised anew every art of popularity; and endeavored to increase the general good-will by a hospitable manner of life, little suited to his situation and circumstances. His former employments had given him great connections with men of the military profession; and he now entertained, by additional caresses and civilities, a friendship with all desperate adventurers, whose attachment he hoped might, in his present views, prove serviceable to him. He secretly courted the confidence of the Catholics; but his chief trust lay in the Puritans, whom he openly caressed, and whose manners he seemed to have entirely adopted. He engaged the most celebrated preachers of that sect to resort to Essex House; he had daily prayers and sermons in his family; and he invited all the zealots in London to attend those pious exercises. Such was the disposition now beginning to prevail among the English that, instead of feasting and public spectacles, the methods anciently practised to gain the populace, nothing so effectually ingratiated an ambitious leader with the public as these fanatical entertainments. And as the puritanical preachers frequently inculcated in their sermons the doctrine of resistance to the civil magistrate, they prepared the minds of their hearers for those seditious projects which Essex was secretly meditating.<sup>55</sup>

But the greatest imprudence of this nobleman proceeded from the openness of his temper, by which he was ill qualified to succeed in such difficult and dangerous enterprises. He indulged himself in great liberties of speech, and was even heard to say of the queen that she was now grown an old woman, and was become as crooked in her mind as in her body.<sup>56</sup> Some court ladies, whose favors Essex had formerly neglected, carried her these stories, and incensed her to a high degree against him. Elizabeth was ever remarkably jealous on this head; and though she was now approaching her seventieth year, she allowed her courtiers,<sup>57</sup> and even foreign ambassadors,<sup>58</sup> to compliment her upon her beauty; nor had all her good sense been able to cure her of this preposterous vanity.<sup>59</sup>

<sup>55</sup> Birch's Memoirs, vol. ii. p. 463. Camden, p. 630.

<sup>56</sup> Camden, p. 629. Osborne, p. 397. Sir Walter Raleigh's Prerogative of Parliament, p. 43.

<sup>58</sup> Birch's Memoirs, vol. ii. pp. 442, 443.

<sup>59</sup> Sidney Letters, vol. ii. p. 171.

<sup>59</sup> See note [TT] at the end of the volume.



There was also an expedient employed by Essex which, if possible, was more provoking to the queen than those sarcasms on her age and deformity; and that was, his secret applications to the King of Scots, her heir and successor. That prince had this year very narrowly escaped a dangerous though ill-formed conspiracy of the Earl of Gowry; and even his deliverance was attended with this disagreeable circumstance, that the obstinate ecclesiastics persisted, in spite of the most incontestable evidence, to maintain to his face that there had been no such conspiracy. James, harassed with his turbulent and factious subjects, cast a wistful eye to the succession of England; and, in proportion as the queen advanced in years, his desire increased of mounting that throne, on which, besides acquiring a great addition of power and splendor, he hoped to govern a people so much more tractable and submissive. He negotiated with all the courts of Europe, in order to insure himself friends and partisans; he even neglected not the court of Rome and that of Spain; and though he engaged himself in no positive promise, he flattered the Catholics with hopes that, in the event of his succession, they might expect some more liberty than was as present indulged them. Elizabeth was the only sovereign in Europe to whom he never dared to mention his right of succession; he knew that, though her advanced age might now invite her to think of fixing an heir to the crown, she never could bear the prospect of her own death without horror, and was determined still to retain him, and all other competitors, in an entire dependence upon her.

Essex was descended by females from the royal family; and some of his sanguine partisans had been so imprudent as to mention his name among those of other pretenders to the crown; but the earl took care, by means of Henry Lee, whom he secretly sent into Scotland, to assure James that, so far from entertaining such ambitious views, he was determined to use every expedient for extorting an immediate declaration in favor of that monarch's right of succession. James willingly hearkened to this proposal, but did not approve of the violent methods which Essex intended to employ. Essex had communicated his scheme to Mountjoy, deputy of Ireland; and as no man ever commanded more the cordial affection and attachment of his friends, he had even engaged a person of that virtue and prudence to entertain thoughts of bringing over part of his army into England, and of forcing the queen to declare the King of Scots her

successor;<sup>60</sup> and such was Essex's impatient ardor that, though James declined this dangerous expedient, he still endeavored to persuade Mountjoy not to desist from the project; but the deputy, who thought that such violence, though it might be prudent, and even justifiable, when supported by a sovereign prince, next heir to the crown, would be rash and criminal if attempted by subjects, absolutely refused his concurrence. The correspondence, however, between Essex and the court of Scotland was still conducted with great secrecy and cordiality; and that nobleman, besides conciliating the favor of James, represented all his own adversaries as enemies to that prince's succession, and as men entirely devoted to the interests of Spain, and partisans of the chimerical title of the Infanta.

The Infanta and the Archduke Albert had made some advances to the queen for peace; and Boulogne, as a neutral town, was chosen for the place of conference. Sir Henry Nevil, the English resident in France, Herbert, Edmondes, and Beale, were sent thither as ambassadors from England, and negotiated with Zuniga, Carillo, Richardot, and Verheiken, ministers of Spain, and the archduke; but the conferences were soon broken off by disputes with regard to the ceremonial. Among the European states, England had ever been allowed the precedence above Castile, Arragon, Portugal, and the other kingdoms of which the Spanish monarchy was composed; and Elizabeth insisted that this ancient right was not lost on account of the junction of these states, and that that monarchy, in its present situation, though it surpassed the English in extent as well as in power, could not be compared with it in point of antiquity, the only durable and regular foundation of precedence among kingdoms as well as noble families. That she might show, however, a pacific disposition, she was content to yield to an equality; but the Spanish ministers, as their nation had always disputed precedence even with France, to which England yielded, would proceed no further in the conference till their superiority of rank were acknowledged.<sup>61</sup> During the preparations for this abortive negotiation, the Earl of Nottingham, the admiral, Lord Buckhurst, treasurer, and Secretary Cecil, had discovered their inclination to peace; but as the English nation, flushed with success, and sanguine in their hopes of plunder and conquest were in

<sup>60</sup> Birch's Memoirs, vol. ii. p. 471.

<sup>61</sup> Winwood's Memorials, vol. i. pp. 186-226.

general averse to that measure, it was easy for a person so popular as Essex to infuse into the multitude an opinion that these ministers had sacrificed the interests of their country to Spain, and would even make no scruple of receiving a sovereign from that hostile nation.

[1601.] But Essex, not content with these arts for decrying his adversaries, proceeded to concert more violent methods of ruining them, chiefly instigated by Cuffe, his secretary, a man of a bold and arrogant spirit, who had acquired a great ascendant over his patron. A select council of malcontents was formed, who commonly met at Drury House, and were composed of Sir Charles Davers (to whom the house belonged), the Earl of Southampton, Sir Ferdinando Gorges, Sir Christopher Blount, Sir John Davies, and John Littleton; and Essex, who boasted that he had a hundred and twenty barons, knights, and gentlemen of note at his devotion, and who trusted still more to his authority with the populace, communicated to his associates those secret designs with which his confidence in so powerful a party had inspired him. Among other criminal projects, the result of blind rage and despair, he deliberated with them concerning the method of taking arms, and asked their opinion whether he had best begin with seizing the palace or the Tower, or set out with making himself master at once of both places. The first enterprise being preferred, a method was concerted for executing it. It was agreed that Sir Christopher Blount, with a choice detachment, should possess himself of the palace gates; that Davies should seize the hall, Davers the guard-chamber and presence-chamber; and that Essex should rush in from the Mews, attended by a body of his partisans; should entreat the queen, with all demonstrations of humility, to remove his enemies; should oblige her to assemble a Parliament; and should, with common consent, settle a new plan of government.<sup>62</sup>

While these desperate projects were in agitation, many reasons of suspicion were carried to the queen; and she sent Robert Sacville, son of the treasurer, to Essex House, on pretence of a visit, but in reality with a view of discovering whether there were in that place any unusual concourse of people, or any extraordinary preparations which might threaten an insurrection. Soon after, Essex received a

<sup>62</sup> Camden, p. 630. Birch's Memoirs, vol. ii. p. 464. State Trials. Bacon, vol. iv. pp. 542, 543.

summons to attend the council, which met at the treasurer's house ; and while he was musing on this circumstance, and comparing it with the late unexpected visit from Sacville, a private note was conveyed to him, by which he was warned to provide for his own safety. He concluded that all his conspiracy was discovered, at least suspected, and that the easiest punishment which he had reason to apprehend was a new and more severe confinement ; he therefore excused himself to the council, on pretence of an indisposition, and he immediately despatched messages to his more intimate confederates, requesting their advice and assistance in the present critical situation of his affairs. They deliberated whether they should abandon all their projects, and fly the kingdom, or instantly seize the palace with the force which they could assemble, or rely upon the affections of the citizens, who were generally known to have a great attachment to the earl. Essex declared against the first expedient, and professed himself determined to undergo any fate rather than submit to live the life of a fugitive. To seize the palace seemed impracticable without more preparations, especially as the queen seemed now aware of their projects, and, as they heard, had used the precaution of doubling her ordinary guards. There remained, therefore, no expedient but that of betaking themselves to the city ; and, while the prudence and feasibility of this resolution were under debate, a person arrived who, as if he had received a commission for the purpose, gave them assurance of the affection of the Londoners, and affirmed that they might securely rest any project on that foundation. The popularity of Essex had chiefly buoyed him up in all his vain undertakings ; and he fondly imagined that, with no other assistance than the good-will of the multitude, he might overturn Elizabeth's government, confirmed by time, revered for wisdom, supported by vigor, and concurring with the general sentiments of the nation. The wild project of raising the city was immediately resolved on ; the execution of it was delayed till next day, and emissaries were despatched to all Essex's friends, informing them that Cobham and Raleigh had laid schemes against his life, and entreating their presence and assistance.

Next day there appeared at Essex House the Earls of Southampton and Rutland, the Lords Sandys and Montague, with about three hundred gentlemen of good quality and fortune ; and Essex informed them of the danger to



which he pretended the machinations of his enemies exposed him. To some he said he would throw himself at the queen's feet, and crave her justice and protection; to others he boasted of his interest in the city, and affirmed that, whatever might happen, this resource could never fail him. The queen was informed of these designs by means of intelligence conveyed, as is supposed, to Raleigh by Sir Ferdinando Gorges; and having ordered the magistrates of London to keep the citizens in readiness, she sent Egerton, lord keeper, to Essex House, with the Earl of Worcester, Sir William Knollys, controller, and Popham, chief-justice, in order to learn the cause of these unusual commotions. They were with difficulty admitted through a wicket; but all their servants were excluded, except the purse-bearer. After some altercation, in which they charged Essex's retainers, upon their allegiance, to lay down their arms, and were menaced, in their turn, by the angry multitude who surrounded them, the earl, who found that matters were past recall, resolved to leave them prisoners in his house, and to proceed to the execution of his former project. He sallied forth with about two hundred attendants, armed only with walking swords, and in his passage to the city was joined by the Earl of Bedford and Lord Cromwell. He cried aloud, "For the queen! for the queen! a plot is laid for my life!" and then proceeded to the house of Smith, the sheriff, on whose aid he had great reliance. The citizens flocked about him in amazement; but though he told them that England was sold to the Infanta, and exhorted them to arm instantly, otherwise they could not do him any service, no one showed a disposition to join him. The sheriff, on the earl's approach to his house, stole out at the back door, and made the best of his way to the mayor. Essex, meanwhile, observing the coldness of the citizens, and hearing that he was proclaimed a traitor by the Earl of Cumberland and Lord Burleigh, began to despair of success, and thought of retreating to his own house. He found the streets in his passage barricaded and guarded by the citizens, under the command of Sir John Levison. In his attempt to force his way, Tracy, a young gentleman to whom he bore great friendship, was killed, with two or three of the Londoners; and the earl himself, attended by a few of his partisans (for the greater part began secretly to withdraw themselves), retired towards the river, and taking boat, arrived at Essex House. He there found that Gorges,

whom he had sent before to capitulate with the lord keeper and the other councillors, had given all of them their liberty, and had gone to court with them. He was now reduced to despair, and appeared determined, in prosecution of Lord Sandys's advice, to defend himself to the last extremity, and rather to perish, like a brave man, with his sword in his hand, than basely by the hands of the executioner; but after some parley, and after demanding in vain, first hostages, then conditions, from the besiegers, he surrendered at discretion, requesting only civil treatment, and a fair and impartial hearing.<sup>63</sup>

The queen, who during all this commotion had behaved with as great tranquillity and security as if there had only passed a fray in the streets in which she was nowise concerned,<sup>64</sup> soon gave orders for the trial of the most considerable of the criminals. The Earls of Essex and Southampton were arraigned before a jury of twenty-five peers, where Buckhurst acted as lord steward. The guilt of the prisoners was too apparent to admit of any doubt; and, besides the insurrection known to everybody, the treasonable conferences at Drury House were proved by undoubted evidence. Sir Ferdinando Gorges was produced in court; the confessions of the Earl of Rutland, of the Lords Cromwell, Sandys, and Monteagle, of Davers, Blount, and Davies, were only read to the Peers, according to the practice of that age. Essex's best friends were scandalized at his assurance in insisting so positively on his innocence and the goodness of his intentions; and still more at his vindictive disposition, in accusing, without any appearance of reason, Secretary Cecil as a partisan of the Infanta's title. The secretary, who had expected this charge, stepped into the court, and challenged Essex to produce his authority, which, on examination, was found extremely weak and frivolous.<sup>65</sup> When sentence was pronounced, Essex spoke like a man who expected nothing but death; but he added that he should be sorry if he were represented to the queen as a person that despised her clemency, though he should not, he believed, make any cringing submissions to obtain it. Southampton's behavior was more mild and submissive: he entreated the good offices of the Peers in so modest and becoming a manner as excited compassion in every one.

The most remarkable circumstance in Essex's trial was

<sup>63</sup> Camden, p. 632.

<sup>64</sup> Birch's Memoirs, vol. ii. p. 469.

<sup>65</sup> Bacon, vol. iv. p. 530.

Bacon's appearance against him. He was none of the crown lawyers, so was not obliged by his office to assist at this trial ; yet did he not scruple, in order to obtain the queen's favor, to be active in bereaving of life his friend and patron, whose generosity he had often experienced. He compared Essex's conduct, in pretending to fear the attempts of his adversaries, to that of Pisistratus the Athenian, who cut and wounded his own body, and, making the people believe that his enemies had committed the violence, obtained a guard for his person, by whose assistance he afterwards subdued the liberties of his country.

After Essex had passed some days in the solitude and reflections of a prison, his proud heart was at last subdued, not by the fear of death, but by the sentiments of religion—a principle which he had before attempted to make the instrument of his ambition, but which now took a more firm hold of his mind, and prevailed over every other motive and consideration. His spiritual directors persuaded him that he never could obtain the pardon of Heaven unless he made a full confession of his disloyalty; and he gave in to the council an account of all his criminal designs, as well as of his correspondence with the King of Scots. He spared not even his most intimate friends, such as Lord Mountjoy, whom he had engaged in these conspiracies, and he sought to pacify his present remorse by making such atonements as, in any other period of his life, he would have deemed more blamable than those attempts themselves which were the objects of his penitence.<sup>66</sup> Sir Harry Nevil, in particular, a man of merit, he accused of a correspondence with the conspirators; though it appears that this gentleman had never assented to the proposals made him, and was no further criminal than in not revealing the earl's treason, an office to which every man of honor naturally bears the strongest reluctance.<sup>67</sup> Nevil was thrown into prison, and underwent a severe persecution; but as the queen found Mountjoy an able and successful commander, she continued him in his government, and sacrificed her resentment to the public service.

Elizabeth affected extremely the praise of clemency, and in every great example which she had made during her reign she had always appeared full of reluctance and hesitation; but the present situation of Essex called forth all her tender affections, and kept her in the most real agitation

<sup>66</sup> Winwood, vol. i. p. 300.

<sup>67</sup> Winwood, vol. i. p. 302.

and irresolution. She felt a perpetual combat between resentment and inclination, pride and compassion, the care of her own safety and concern for her favorite; and her situation during this interval was perhaps more an object of pity than that to which Essex himself was reduced. She signed the warrant for his execution; she countermanded it; she again resolved on his death, she felt a new return of tenderness. Essex's enemies told her that he himself desired to die, and assured her that she could never be in safety while he lived: it is likely that this proof of penitence and of concern for her would produce a contrary effect to what they intended, and would revive all the fond affection which she had so long indulged towards the unhappy prisoner. But what chiefly hardened her heart against him was his supposed obstinacy in never making, as she hourly expected, any application to her for mercy; and she finally gave her consent to his execution. He discovered at his death symptoms rather of penitence and piety than of fear, and willingly acknowledged the justice of the sentence by which he suffered. The execution was private, in the Tower, agreeably to his own request. He was apprehensive, he said, lest the favor and compassion of the people would too much raise his heart in those moments when humiliation under the afflicting hand of Heaven was the only proper sentiment which he could indulge;<sup>68</sup> and the queen, no doubt, thought that prudence required the removing of so melancholy a spectacle from the public eye. Sir Walter Raleigh, who came to the Tower on purpose, and who beheld Essex's execution from a window, increased much by this action the general hatred under which he already labored; it was thought that his sole intention was to feast his eyes with the death of an enemy, and no apology which he could make for so ungenerous a conduct could be accepted by the public. The cruelty and animosity with which he urged on Essex's fate, even when Cecil relented,<sup>69</sup> were still regarded as the principles of this unmanly behavior.

The Earl of Essex was but thirty-four years of age when his rashness, imprudence, and violence brought him to this untimely end. We must here, as in many other instances, lament the inconstancy of human nature, that a person endowed with so many noble virtues—generosity, sincerity,

<sup>68</sup> Dr. Barlow's Sermon on Essex's execution. Bacon, vol. iv. p. 534.

<sup>69</sup> Murden, p. 811.



friendship, valor, eloquence, and industry — should, in the latter period of his life, have given reins to his ungovernable passions, and involved not only himself, but many of his friends, in utter ruin. The queen's tenderness and passion for him, as it was the cause of those premature honors which he attained, seems, on the whole, the chief circumstance which brought on his unhappy fate. Confident of her partiality towards him as well as of his own merit, he treated her with a haughtiness which neither her love nor her dignity could bear; and as her amorous inclinations, in so advanced an age, would naturally make her appear ridiculous, if not odious, in his eyes, he was engaged by an imprudent openness, of which he made profession, to discover too easily those sentiments to her. The many reconciliations and returns of affection, of which he had still made advantage, induced him to venture on new provocations, till he pushed her beyond all bounds of patience; and he forgot that though the sentiments of the woman were ever strong in her, those of the sovereign had still, in the end, appeared predominant.

Some of Essex's associates—Cuffe, Davers, Blount, Meric, and Davies — were tried and condemned, and all of these, except Davies, were executed. The queen pardoned the rest, being persuaded that they were drawn in merely from their friendship to that nobleman and their care of his safety, and were ignorant of the more criminal part of his intentions. Southampton's life was saved with great difficulty, but he was detained in prison during the remainder of this reign.

The King of Scots, apprehensive lest his correspondence with Essex might have been discovered and have given offence to Elizabeth, sent the Earl of Marre and Lord Kinloss as ambassadors to England, in order to congratulate the queen on her escape from the late insurrection and conspiracy. They were also ordered to make secret inquiry whether any measures had been taken by her for excluding him from the succession, as well as to discover the inclinations of the chief nobility and councillors, in case of the queen's demise.<sup>70</sup> They found the dispositions of men as favorable as they could wish; and they even entered into a correspondence with Secretary Cecil, whose influence, after the fall of Essex, was now uncontrolled,<sup>71</sup> and who was resolved, by this policy, to acquire in time the confidence of the successor. He knew how jealous Elizabeth ever was of

<sup>70</sup> Birch's *Memoirs*, vol. ii. p. 510.

<sup>71</sup> Osborne, p. 615.

her authority, and he therefore carefully concealed from her his attachment to James; but he afterwards asserted that nothing could be more advantageous to her than this correspondence, because the King of Scots, secure of mounting the throne by his undoubted title, aided by those connections with the English ministry, was the less likely to give any disturbance to the present sovereign. He also persuaded that prince to remain in quiet, and patiently to expect that time should open to him the inheritance of the crown, without pushing his friends on desperate enterprises which would totally incapacitate them from serving him. James's equity, as well as his natural facility of disposition, easily inclined him to embrace that resolution;<sup>72</sup> and in this manner the mind of the English were silently but universally disposed to admit, without opposition, the succession of the Scottish line. The death of Essex, by putting an end to faction, had been rather favorable than prejudicial to that great event.

The French king, who was little prepossessed in favor of James, and who, for obvious reasons, was averse to the union of England and Scotland,<sup>73</sup> made his ambassador drop some hints to Cecil of Henry's willingness to concur in any measure for disappointing the hopes of the Scottish monarch; but as Cecil showed an entire disapprobation of such schemes, the court of France took no further steps in that matter; and thus the only foreign power which could give much disturbance to James's succession was induced to acquiesce in it.<sup>74</sup> Henry made a journey this summer to Calais, and the queen, hearing of his intentions, went to Dover, in hopes of having a personal interview with a monarch whom, of all others, she most loved and most respected. The King of France, who felt the same sentiments towards her, would gladly have accepted of the proposal; but as many difficulties occurred, it appeared necessary to lay aside, by common consent, the project of an interview. Elizabeth, however, wrote successively two letters to Henry, one by Edmondess, another by Sir Robert Sidney, in which she expressed a desire of conferring about a business of importance with some minister in whom that prince reposed entire confidence. The Marquis of Rosni, the king's favorite and prime minister, came to Dover in disguise, and the memoirs of that able statesman contain a full account of his confer-

<sup>72</sup> Spotswood, pp. 471, 472.

<sup>74</sup> Spotswood, p. 471.

<sup>73</sup> Winwood, vol. i. p. 352.

ence with Elizabeth. This princess had formed a scheme for establishing, in conjunction with Henry, a new system in Europe, and of fixing a durable balance of power, by the erection of new states on the ruins of the house of Austria. She had even the prudence to foresee the perils which might ensue from the aggrandizement of her ally; and she proposed to unite all the seventeen provinces of the Low Countries in one republic, in order to form a perpetual barrier against the dangerous increase of the French as well as of the Spanish monarchy. Henry had himself long meditated such a project against the Austrian family; and Rosni could not forbear expressing his astonishment, when he found that Elizabeth and his master, though they had never communicated their sentiments on this subject, not only had entered into the same general views, but had also formed the same plan for their execution. The affairs, however, of France were not yet brought to a situation which might enable Henry to begin that great enterprise; and Rosni satisfied the queen that it would be necessary to postpone for some years their united attack on the house of Austria. He departed, filled with just admiration at the solidity of Elizabeth's judgment and the greatness of her mind; and he owns that she was entirely worthy of that high reputation which she enjoyed in Europe.

The queen's magnanimity in forming such extensive projects was the more remarkable, as, besides her having fallen so far into the decline of life, the affairs of Ireland, though conducted with abilities and success, were still in disorder, and made a great diversion of her forces. The expense incurred by this war lay heavy upon her narrow revenues, and her ministers, taking advantage of her disposition to frugality, proposed to her an expedient of saving, which, though she at first disapproved of it, she was at last induced to embrace. It was represented to her that the great sums of money remitted to Ireland for the pay of the English forces came, by the necessary course of circulation, into the hands of the rebels, and enabled them to buy abroad all necessary supplies of arms and ammunition, which, from the extreme poverty of that kingdom, and its want of every useful commodity, they could not otherwise find means to purchase. It was therefore recommended to her that she should pay her forces in base money; and it was asserted that, besides the great saving to the revenue, this species of coin could never be exported with advantage, and would

not pass in any foreign market. Some of her wiser councillors maintained that if the pay of the soldiers were raised in proportion, the Irish rebels would necessarily reap the same benefit from the base money, which would always be taken at a rate suitable to its value; if the pay were not raised, there would be danger of a mutiny among the troops, who, whatever names might be affixed to the pieces of metal, would soon find, from experience, that they were defrauded in their income.<sup>75</sup> But Elizabeth, though she justly valued herself on fixing the standard of the English coin, much debased by her predecessors, and had innovated very little in that delicate article, was seduced by the specious arguments employed by the treasurer on this occasion; and she coined a great quantity of base money, which he made use of in the pay of her forces in Ireland.<sup>76</sup>

Mountjoy, the deputy, was a man of abilities; and, foreseeing the danger of mutiny among the troops, he led them instantly into the field, and resolved by means of strict discipline, and by keeping them employed against the enemy, to obviate those inconveniences which were justly to be apprehended. He made military roads, and built a fortress at Moghery; he drove the MacGenises out of Lecale; he harassed Tyrone in Ulster with inroads and lesser expeditions; and by destroying everywhere, and during all seasons, the provisions of the Irish, he reduced them to perish by famine in the woods and morasses to which they were obliged to retreat. At the same time, Sir Henry Docwray, who commanded another body of troops, took the castle of Derry, and put garrisons into Newton and Ainogh; and having seized the monastery of Donegal near Ballishannon, he threw troops into it, and defended it against the assaults of O'Donnel and the Irish. Nor was Sir George Carew idle in the province of Munster. He seized the titular Earl of Desmond, and sent him over, with Florence Macarty, another chieftain, prisoner to England; he arrested many suspected persons, and took hostages from others; and having gotten a reinforcement of two thousand men from England, he threw himself into Cork, which he supplied with arms and provisions; and he put everything in a condition for resisting the Spanish invasion which was daily expected. The deputy, informed of the danger to which the southern provinces were exposed, left the prosecution of the war

<sup>75</sup> Camden, p. 643.

<sup>76</sup> Rymer, vol. xvi. p. 414.



against Tyrone, who was reduced to great extremities, and he marched with his army into Munster.

At last the Spaniards, under Don John d'Aquila, arrived at Kinsale; and Sir Richard Piercy, who commanded in the town with a small garrison of a hundred and fifty men, found himself obliged to abandon it on their appearance. These invaders amounted to four thousand men, and the Irish discovered a strong propensity to join them, in order to free themselves from the English government, with which they were extremely discontented. One chief ground of their complaint was the introduction of trials by jury<sup>77</sup>—an institution abhorred by that people, though nothing contributes more to the support of that equity and liberty for which the English laws are so justly celebrated. The Irish also bore a great favor to the Spaniards, having entertained the opinion that they themselves were descended from that nation; and their attachment to the Catholic religion proved a new cause of affection to the invaders. D'Aquila assumed the title of general *in the holy war for the preservation of the faith* in Ireland; and he endeavored to persuade the people that Elizabeth was, by several bulls of the pope, deprived of her crown; that her subjects were absolved from their oaths of allegiance; and that the Spaniards were come to deliver the Irish from the dominion of the devil.<sup>78</sup> Mountjoy found it necessary to act with vigor, in order to prevent a total insurrection of the Irish; and having collected his forces, he formed the siege of Kinsale by land, while Sir Richard Levison, with a small squadron, blockaded it by sea. He had no sooner begun his operations than he heard of the arrival of another body of two thousand Spaniards, under the command of Alphonso Ocampo, who had taken possession of Baltimore and Berehaven, and he was obliged to detach Sir George Carew to oppose their progress. Tyrone, meanwhile, with Randal, Mac-Surley, Tírel, Baron of Kelly, and other chieftains of the Irish, had joined Ocampo with all their forces, and were marching to the relief of Kinsale. The deputy, informed of their design by intercepted letters, made preparations to receive them; and being reinforced by Levison with six hundred marines, he posted his troops on an advantageous ground, which lay on the passage of the enemy, leaving some cavalry to prevent a sally from D'Aquila and the Spanish garrison. When Tyrone, with a detachment of Irish and Spaniards, ap-

<sup>77</sup> Camden, p. 644.

<sup>78</sup> Camden, p. 645.

proached, he was surprised to find the English so well posted and ranged in good order, and he immediately sounded a retreat; but the deputy gave orders to pursue him, and having thrown these advanced troops into disorder, he followed to the main body, whom he also attacked and put to flight, with the slaughter of twelve hundred men.<sup>79</sup> Ocampo was taken prisoner; Tyrone fled into Ulster; O'Donnel made his escape into Spain; and D'Aquila, finding himself reduced to the greatest difficulties, was obliged to capitulate upon such terms as the deputy prescribed to him. He surrendered Kinsale and Baltimore, and agreed to evacuate the kingdom. This great blow, joined to other successes gained by Wilmot, Governor of Kerry, and by Roger and Gavin Harvey, threw the rebels into dismay, and gave a prospect of the final reduction of Ireland.

The Irish war, though successful, was extremely burdensome on the queen's revenue; and besides the supplies granted by Parliament, which were indeed very small, but which they ever regarded as mighty concessions, she had been obliged, notwithstanding her great frugality, to employ other expedients, such as selling the royal demesnes and crown jewels,<sup>80</sup> and exacting loans from the people,<sup>81</sup> in order to support this cause, so essential to the honor and interests of England. The necessity of her affairs obliged her again to summon a Parliament; and it here appeared that, though old age was advancing fast upon her, though she had lost much of her popularity by the unfortunate execution of Essex, insomuch that, when she appeared in public, she was not attended with the usual acclamations,<sup>82</sup> yet the powers of her prerogative, supported by vigor, still remained as high and uncontrollable as ever.

The active reign of Elizabeth had enabled many persons to distinguish themselves in civil and military employments; and the queen, who was not able, from her revenue, to give them any rewards proportioned to their services, had made use of an expedient which had been employed by her predecessor, but which had never been carried to such an extreme as under her administration. She granted her servants and courtiers patents for monopolies, and these patents they sold to others, who were thereby enabled to raise commodities to what price they pleased, and who put invincible restraints

<sup>79</sup> Winwood, vol. i. p. 369.

<sup>81</sup> Ibid.

<sup>80</sup> D'Ewes, p. 629.

<sup>82</sup> D'Ewes, p. 602. Osborne, p. 604.

upon all commerce, industry, and emulation in the arts. It is astonishing to consider the number and importance of those commodities which were thus assigned over to patentees. Currants, salt, iron, powder, cards, calf-skins, fells, pouldavies, ox shin-bones, train-oil, lists of cloth, potashes, aniseeds, vinegar, sea-coals, steel, aqua-vitæ, brushes, pots, bottles, saltpetre, lead, accidences, oil, calamine-stone, oil of blubber, glasses, paper, starch, tin, sulphur, new drapery, pilchards; transportation of iron ordnance, of beer, of horn, of leather; importation of Spanish wool, of Irish yarn. These are but a part of the commodities which had been appropriated to monopolists.<sup>83</sup> When this list was read in the House, a member cried, "Is not bread in the number?" "Bread!" said every one, with astonishment. "Yes, I assure you," replied he, "if affairs go on at this rate, we shall have bread reduced to a monopoly before next Parliament."<sup>84</sup> These monopolists were so exorbitant in their demands that in some places they raised the price of salt from sixteen pence a bushel to fourteen or fifteen shillings.<sup>85</sup> Such high profits naturally begat intruders upon their commerce; and, in order to secure themselves against encroachments, the patentees were armed with high and arbitrary powers from the council, by which they were enabled to oppress the people at pleasure, and to exact money from such as they thought proper to accuse of interfering with their patent.<sup>86</sup> The patentees of saltpetre, having the power of entering into every house, and of committing what havoc they pleased in stables, cellars, or wherever they suspected saltpetre might be gathered, commonly extorted money from those who desired to free themselves from this damage or trouble.<sup>87</sup> And while all domestic intercourse was thus restrained, lest any scope should remain for industry, almost every species of foreign commerce was confined to exclusive companies, who bought and sold at any price that they themselves thought proper to offer or exact.

These grievances, the most intolerable for the present, and the most pernicious in their consequences that ever were known in any age or under any government, had been mentioned in the last Parliament, and a petition had even been presented to the queen complaining of her patents; but she still persisted in defending her monopolists against her people. A bill was now introduced into the Lower House

<sup>83</sup> D'Ewes, pp. 648, 650, 652.

<sup>86</sup> D'Ewes, p. 647.

<sup>86</sup> D'Ewes, pp. 644, 646, 652.

<sup>84</sup> D'Ewes, p. 648.

<sup>87</sup> D'Ewes, p. 653.

abolishing all these monopolies; and as the former application had been unsuccessful, a law was insisted on as the only certain expedient for correcting these abuses. The courtiers, on the other hand, maintained that this matter regarded the prerogative, and that the Commons could never hope for success if they did not make application, in the most humble and respectful manner, to the queen's goodness and beneficence. The topics which were advanced in the House, and which came equally from the courtiers and the country gentlemen, and were admitted by both, will appear the most extraordinary to such as are prepossessed with an idea of the privileges enjoyed by the people during that age, and of the liberty possessed under the administration of Elizabeth. It was asserted that the queen inherited both an enlarging and a restraining power; by her prerogative she might set at liberty what was restrained by statute or otherwise, and by her prerogative she might restrain what was otherwise at liberty;<sup>88</sup> that the royal prerogative was not to be canvassed nor disputed nor examined,<sup>89</sup> and did not even admit of any limitation;<sup>90</sup> that absolute princes, such as the sovereigns of England, were a species of divinity;<sup>91</sup> that it was in vain to attempt tying the queen's hands by laws or statutes, since by means of her dispensing power she could loosen herself at pleasure;<sup>92</sup> and that even if a clause should be annexed to a statute, excluding all dispensing power, she could first dispense with that clause, and then with the statute.<sup>93</sup> After all this discourse, more worthy of a Turkish divan than of an English House of Commons, according to our present idea of this assembly, the queen, who perceived how odious monopolies had become, and what heats were likely to arise, sent for the speaker, and desired him to acquaint the House that she would immediately cancel the most grievous and oppressive of these patents.<sup>94</sup>

The House was struck with astonishment and admiration and gratitude at this extraordinary instance of the queen's goodness and condescension. A member said, with tears in his eyes, that if a sentence of everlasting happiness had been pronounced in his favor, he could not have felt more joy than that with which he was at present overwhelmed;<sup>95</sup> another observed that this message from the sacred person

<sup>88</sup> D'Ewes, pp. 641, 675.<sup>89</sup> D'Ewes, pp. 644, 649.<sup>90</sup> D'Ewes, pp. 646, 654.<sup>91</sup> D'Ewes, p. 649.<sup>92</sup> *Ibid.*<sup>93</sup> D'Ewes, pp. 640, 646.<sup>94</sup> See note [UU] at the end of the volume.<sup>95</sup> D'Ewes, p. 654.



of the queen was a kind of gospel or glad tidings, and ought to be received as such, and be written in the tablets of their hearts;<sup>96</sup> and it was further remarked that in the same manner as the Deity would not give his glory to another, so the queen herself was the only agent in their present prosperity and happiness.<sup>97</sup> The House voted that the speaker, with a committee, should ask permission to wait on her majesty and return thanks to her for her gracious concessions to her people.

When the speaker, with the other members, was introduced to the queen, they all flung themselves on their knees, and remained in that posture a considerable time, till she thought proper to express her desire that they should rise.<sup>98</sup> The speaker displayed the gratitude of the Commons, because her sacred ears were ever open to hear them, and her blessed hands ever stretched out to relieve them. They acknowledged, he said, in all duty and thankfulness acknowledged, that, before they called, her *preventing grace* and *all-deserving goodness* watched over them for their good; more ready to give than they could desire, much less deserve. He remarked that the attribute which was most proper to God, to perform all he promiseth, appertained also to her; and that she was all truth, all constancy, and all goodness. And he concluded with these expressions: "Neither do we present our thanks in words or any outward sign, which can be no sufficient retribution for so great goodness; but, in all duty and thankfulness, prostrate at your feet, we present our most loyal and thankful hearts, even the last drop of blood in our hearts, and the last spirit of breath in our nostrils, to be poured out, to be breathed up, for your safety."<sup>99</sup> The queen heard very patiently this speech, in which she was flattered in phrases appropriated to the Supreme Being; and she returned an answer full of such expressions of tenderness towards her people as ought to have appeared fulsome, after the late instances of rigor which she had employed, and from which nothing but necessity had made her depart. Thus was this critical affair happily terminated; and Elizabeth, by prudently receding

<sup>96</sup> D'Ewes, p. 656.

<sup>97</sup> D'Ewes, p. 657.

<sup>98</sup> We learn from Hentzner's Travels that no one spoke to Queen Elizabeth without kneeling, though now and then she raised some with waving her hand. Nay, wherever she turned her eye, every one fell on his knees. Her successor first allowed his courtiers to omit this ceremony; and as he exerted not the power, so he relinquished the appearance, of despotism. Even when Queen Elizabeth was absent, those who covered her table, though persons of quality, neither approached it nor retired from it without kneeling, and that often three times.

<sup>99</sup> D'Ewes, pp. 658, 659.

in time from part of her prerogative, maintained her dignity and preserved the affections of her people.

The Commons granted her a supply quite unprecedented, of four subsidies and eight fifteenths; and they were so dutiful as to vote this supply before they received any satisfaction in the business of monopolies, which they justly considered as of the utmost importance to the interest and happiness of the nation. Had they attempted to extort that concession by keeping the supply in suspense, so haughty was the queen's disposition that this appearance of constraint and jealousy had been sufficient to have produced a denial of all their requests, and to have forced her into some acts of authority still more violent and arbitrary.

[1602.] The remaining events of this reign are neither numerous nor important. The queen, finding that the Spaniards had involved her in so much trouble by fomenting and assisting the Irish rebellion, resolved to give them employment at home; and she fitted out a squadron of nine ships, under Sir Richard Levison, admiral, and Sir William Monson, vice-admiral, whom she sent on an expedition to the coast of Spain. The admiral, with part of the squadron, met the galleons loaded with treasure, but was not strong enough to attack them; the vice-admiral also fell in with some rich ships, but they escaped for a like reason. And these two brave officers, that their expedition might not prove entirely fruitless, resolved to attack the harbor of Coimbra, in Portugal, where they received intelligence a very rich carrack had taken shelter. The harbor was guarded by a castle; there were eleven galleys stationed in it, and the militia of the country, to the number, as was believed, of twenty thousand men, appeared in arms on the shore. Yet, notwithstanding these obstacles, and others derived from the winds and tides, the English squadron broke into the harbor, dismounted the guns of the castle, sunk or burned or put to flight the galleys, and obliged the carrack to surrender.<sup>100</sup> They brought her home to England, and she was valued at a million of ducats;<sup>101</sup> a sensible loss to the Spaniards, and a supply still more important to Elizabeth.<sup>102</sup>

<sup>100</sup> Monson, p. 181.

<sup>101</sup> Camden, p. 647.

<sup>102</sup> This year the Spaniards began the siege of Ostend, which was bravely defended for five months by Sir Francis Vere. The States then relieved him, by sending a new governor; and on the whole the siege lasted three years, and is computed to have cost the lives of a hundred thousand men.

[1603.] The affairs of Ireland, after the defeat of Tyrone and the expulsion of the Spaniards, hastened to a settlement. Lord Mountjoy divided his army into small parties, and harassed the rebels on every side. He built Charlemont, and many other small forts, which were impregnable to the Irish, and guarded all the important passes of the country. The activity of Sir Henry Docwray and Sir Arthur Chichester permitted no repose or security to the rebels; and many of the chieftains, after skulking during some time in woods and morasses, submitted to mercy and received such conditions as the deputy was pleased to impose upon them. Tyrone himself made application by Arthur Mac-Baron, his brother, to be received upon terms; but Mountjoy would not admit him, except he made an absolute surrender of his life and fortunes to the queen's mercy. He appeared before the deputy at Millefont, in a habit and posture suitable to his present fortune; and, after acknowledging his offence in the most humble terms, he was committed to custody by Mountjoy, who intended to bring him over captive into England, to be disposed of at the queen's pleasure.

But Elizabeth was now incapable of receiving any satisfaction from this fortunate event; she had fallen into a profound melancholy, which all the advantages of her high fortune, all the glories of her prosperous reign, were unable in any degree to alleviate or assuage. Some ascribed this depression of mind to her repentance of granting a pardon to Tyrone, whom she had always resolved to bring to condign punishment for his treasons, but who had made such interest with the ministers as to extort a remission from her. Others, with more likelihood, accounted for her dejection by a discovery which she had made of the correspondence maintained in her court with her successor, the King of Scots, and by the neglect to which, on account of her old age and infirmities, she imagined herself to be exposed. But there is another cause assigned for her melancholy, which has long been rejected by historians as romantic, but which late discoveries seem to have confirmed.<sup>103</sup> Some incidents happened which revived her tenderness for Essex, and filled her with the deepest sorrow for the consent which she had unwarily given to his execution.

<sup>103</sup> See the proofs of this remarkable fact collected in Birch's *Negotiations*, p. 206 And *Memoirs*, vol. ii. pp. 481, 506, 506, etc.

The Earl of Essex, after his return from the fortunate expedition against Cadiz, observing the increase of the queen's fond attachment towards him, took occasion to regret that the necessity of her service required him often to be absent from her person, and exposed him to all those ill offices which his enemies, more assiduous in their attendance, could employ against him. She was moved with this tender jealousy; and, making him the present of a ring, desired him to keep that pledge of her affection, and assured him that into whatever disgrace he should fall, whatever prejudices she might be induced to entertain against him, yet if he sent her that ring she would immediately, upon the sight of it, recall her former tenderness, would afford him a patient hearing, and would lend a favorable ear to his apology. Essex, notwithstanding all his misfortunes, reserved this precious gift to the last extremity; but after his trial and condemnation he resolved to try the experiment, and he committed the ring to the Countess of Nottingham, whom he desired to deliver it to the queen. The countess was prevailed on by her husband, the mortal enemy of Essex, not to execute the commission; and Elizabeth, who still expected that her favorite would make this last appeal to her tenderness, and who ascribed the neglect of it to his invincible obstinacy, was, after much delay and many internal combats, pushed by resentment and policy to sign the warrant for his execution. The Countess of Nottingham falling into sickness, and affected with the near approach of death, was seized with remorse for her conduct; and, having obtained a visit from the queen, she craved her pardon, and revealed to her the fatal secret. The queen, astonished with this incident, burst into a furious passion. She shook the dying countess in her bed; and crying to her *that God might pardon her, but she never could*, she broke from her, and thenceforth resigned herself over to the deepest and most incurable melancholy. She rejected all consolation; she even refused food and sustenance; and throwing herself on the floor, she remained sullen and immovable, feeding her thoughts on her afflictions, and declaring life and existence an insufferable burden to her. Few words she uttered; and they were all expressive of some inward grief, which she cared not to reveal; but sighs and groans were the chief vent which she gave to her despondency, and which, though they discovered her sorrows, were never able to ease or assuage them. Ten



days and nights she lay upon the carpet, leaning on cushions which her maids brought her; and her physicians could not persuade her to allow herself to be put to bed, much less to make trial of any remedies which they prescribed to her.<sup>104</sup> Her anxious mind, at last, had so long preyed on her frail body that her end was visibly approaching; and the council, being assembled, sent the keeper, admiral, and secretary to know her will with regard to her successor. She answered, with a faint voice, that as she had held a regal sceptre, she desired no other than a royal successor. Cecil requesting her to explain herself more particularly, she subjoined that she would have a king to succeed her; and who should that be but her nearest kinsman, the King of Scots? Being then advised by the Bishop of Canterbury to fix her thoughts upon God, she replied that she did so, nor did her mind in the least wander from him. Her voice soon after left her; her senses failed; she fell into a lethargic slumber, which continued some hours; and she expired gently, without further struggle or convulsion, in the seventieth year of her age and forty-fifth of her reign.

So dark a cloud overcast the evening of that day, which had shone out with a mighty lustre in the eyes of all Europe. There are few great personages in history who have been more exposed to the calumny of enemies and the adulation of friends than Queen Elizabeth; and yet there is scarcely any whose reputation has been more certainly determined by the unanimous consent of posterity. The unusual length of her administration and the strong features of her character were able to overcome all prejudices; and, obliging her detractors to abate much of their invectives, and her admirers somewhat of their panegyrics, have at last, in spite of political factions, and, what is more, of religious animosities, produced a uniform judgment with regard to her conduct. Her vigor, her constancy, her magnanimity, her penetration, vigilance, address, are allowed to merit the highest praises, and appear not to have been surpassed by any person that ever filled a throne. A conduct less rigorous, less imperious, more sincere, more indulgent to her people, would have been requisite to form a perfect character. By the force of her mind she controlled all her more active and stronger qualities, and prevented them from running into excess. Her heroism was exempt from temerity, her frugality from avarice, her

<sup>104</sup> Strype, vol. iv. No. 276.

friendship from partiality, her active temper from turbulence and a vain ambition. She guarded not herself with equal care or equal success from lesser infirmities—the rivalry of beauty, the desire of admiration, the jealousy of love and the sallies of anger.

Her singular talents for government were founded equally on her temper and on her capacity. Endowed with a great command over herself, she soon obtained an uncontrollable ascendant over her people; and while she merited all their esteem by her real virtues, she also engaged their affections by her pretended ones. Few sovereigns of England succeeded to the throne in more difficult circumstances, and none ever conducted the government with such uniform success and felicity. Though unacquainted with the practice of toleration, the true secret of managing religious factions, she preserved her people, by her superior prudence, from those confusions in which theological controversy had involved all the neighboring nations; and though her enemies were the most powerful princes of Europe, the most active, the most enterprising, the least scrupulous, she was able by her vigor to make deep impressions on their states. Her own greatness meanwhile remained untouched and unimpaired.

The wise ministers and brave warriors who flourished under her reign share the praise of her success, but, instead of lessening the applause due to her, they make great addition to it. They owed all of them their advancement to her choice; they were supported by her constancy; and with all their abilities they were never able to acquire any undue ascendant over her. In her family, in her court, in her kingdom, she remained equally mistress. The force of the tender passions was great over her, but the force of her mind was still superior; and the combat which her victory visibly cost her serves only to display the firmness of her resolution and the loftiness of her ambitious sentiments.

The fame of this princess, though it has surmounted the prejudices both of faction and bigotry, yet lies still exposed to another prejudice, which is more durable because more natural, and which, according to the different views in which we survey her, is capable either of exalting beyond measure or diminishing the lustre of her character. This prejudice is founded on the consideration of her sex. When we contemplate her as a woman, we are apt to be struck with the highest admiration of her great qualities

and extensive capacity; but we are also apt to require some more softness of disposition, some greater lenity of temper, some of those amiable weaknesses by which her sex is distinguished. But the true method of estimating her merit is to lay aside all these considerations, and consider her merely as a rational being placed in authority and intrusted with the government of mankind. We may find it difficult to reconcile our fancy to her as a wife or a mistress; but her qualities as a sovereign, though with some considerable exceptions, are the object of undisputed applause and approbation.

## APPENDIX III.

GOVERNMENT OF ENGLAND.—REVENUES.—COMMERCE.—  
MILITARY FORCE.—MANUFACTURES.—LEARNING.

THE party among us who have distinguished themselves by their adhering to liberty and a popular government have long indulged their prejudices against the succeeding race of princes, by bestowing unbounded panegyrics on the virtue and wisdom of Elizabeth. They have even been so extremely ignorant of the transactions of this reign as to extol her for a quality which, of all others, she was the least possessed of—a tender regard for the constitution, and a concern for the liberties and privileges of her people. But as it is scarcely possible for the prepossessions of party to throw a veil much longer over facts so palpable and undeniable, there is danger lest the public should run into the opposite extreme, and should entertain an aversion to the memory of a princess who exercised the royal authority in a manner so contrary to all the ideas which we at present entertain of a legal constitution. But Elizabeth only supported the prerogatives transmitted to her by her predecessors; she believed that her subjects were entitled to no more liberty than their ancestors had enjoyed; she found that they entirely acquiesced in her arbitrary administration; and it was not natural for her to find fault with a form of government by which she herself was invested with such unlimited authority. In the particular exertions of power, the question ought never to be forgotten, What is best? But in the general distribution of power among the several members of a constitution there can seldom be admitted any other question than, What is established? Few examples occur of princes who have willingly resigned their power; none of those who have, without struggle and reluctance, allowed it to be extorted from them. If any other rule than established practice be followed, factions and dissensions must multiply without end; and though many constitutions, and none more than the British, have been improved even by violent innovations, the praise bestowed on those patriots



to whom the nation has been indebted for its privileges ought to be given with some reserve, and surely without the least rancor against those who adhered to the ancient constitution.<sup>1</sup>

In order to understand the ancient constitution of England, there is not a period which deserves more to be studied than the reign of Elizabeth. The prerogatives of this princess were scarcely ever disputed, and she therefore employed them without scruple. Her imperious temper, a circumstance in which she went far beyond her successors, rendered her exertions of power violent and frequent, and discovered the full extent of her authority: the great popularity which she enjoyed proves that she did not infringe any *established* liberties of the people. There remains evidence sufficient to ascertain the most noted acts of her administration; and though that evidence must be drawn from a source wide of the ordinary historians, it becomes only the more authentic on that account, and serves as a stronger proof that her particular exertions of power were conceived to be nothing but the ordinary course of administration, since they were not thought remarkable enough to be recorded even by contemporary writers. If there was any difference in this particular, the people in former reigns seem rather to have been more submissive than even during the age of Elizabeth.<sup>2</sup> It may not here be improper to recount some of the ancient prerogatives of the crown, and lay open the sources of that great power which the English monarchs formerly enjoyed.

One of the most ancient and most established instruments of power was the court of Star-chamber, which possessed an unlimited discretionary authority of fining, imprisoning, and inflicting corporal punishment, and whose jurisdiction extended to all sorts of offences, contempts, and disorders that lay not within reach of the common law. The

<sup>1</sup> By the ancient constitution is here meant that which prevailed before the settlement of our present plan of liberty. There was a more ancient constitution, where, though the people had perhaps less liberty than under the Tudors, yet the king had also less authority; the power of the barons was a great check upon him, and exercised with great tyranny over them. But there was a still more ancient constitution—viz., that before the signing of the charters, when neither the people nor the barons had any regular privileges; and the power of the government, during the reign of an able prince, was almost wholly in the king. The English constitution, like all others, has been in a state of continual fluctuation.

<sup>2</sup> In a memorial of the state of the realm, drawn by Secretary Cecil, in 1569, there is this passage: "Thentfolloweth the decay of obedience in civil policy, which being compared with the fearfulness and reverence of all inferior estates to their superiors in times past, will astonish any wise and considerate person, to behold the desperation of reformation."—Haynes, p. 586. Again, p. 588.

members of this court consisted of the privy council and the judges, men who all of them enjoyed their offices during pleasure; and when the prince himself was present, he was the sole judge, and all the others could only interpose with their advice. There needed but this one court in any government to put an end to all regular, legal, and exact plans of liberty; for who durst set himself in opposition to the crown and ministry, or aspire to the character of being a patron of freedom, while exposed to so arbitrary a jurisdiction? I much question whether any of the absolute monarchies in Europe contain at present so illegal and despotic a tribunal.

The court of high commission was another jurisdiction still more terrible; both because the crime of heresy, of which it took cognizance, was more undefinable than any civil offence, and because its methods of inquisition and of administering oaths were more contrary to all the most simple ideas of justice and equity. The fines and imprisonments imposed by this court were frequent: the deprivations and suspensions of the clergy for nonconformity were also numerous, and comprehended at one time the third of all the ecclesiastics of England.<sup>3</sup> The queen, in a letter to the Archbishop of Canterbury, said expressly that she was resolved "that no man should be suffered to decline, either on the left or on the right hand, from the drawn line limited by authority, and by her laws and injunctions."<sup>4</sup>

But martial law went beyond even these two courts in a prompt and arbitrary and violent method of decision. Whenever there was any insurrection or public disorder, the crown employed martial law; and it was during that time exercised not only over soldiers, but over the whole people: any one might be punished as a rebel, or an aider and abettor of rebellion, whom the provost-martial or lieutenant of a county, or their deputies, pleased to suspect. Lord Bacon says that the trial at common law granted to the Earl of Essex and his fellow-conspirators was a favor; for that the case would have borne and required the severity of martial law.<sup>5</sup> We have seen instances of its being employed by Queen Mary in defence of orthodoxy. There remains a letter of Queen Elizabeth's to the Earl of Sussex, after the suppression of the northern rebellion, in which she sharply reproves him because she had not heard of his hav-

<sup>3</sup> Neal, vol. i. p. 479.

<sup>4</sup> Murden, p. 183.

<sup>5</sup> Vol. iv. p. 510.

ing executed any criminals by martial law ;<sup>6</sup> though it is probable that near eight hundred persons suffered, one way or other, on account of that slight insurrection. But the kings of England did not always limit the exercise of this law to times of civil war and disorder. In 1552, when there was no rebellion or insurrection, King Edward granted a commission of martial law, and empowered the commissioners to execute it *as should be thought by their discretions most necessary*.<sup>7</sup> Queen Elizabeth, too, was not sparing in the use of this law. In 1573 one Peter Burchet, a Puritan, being persuaded that it was meritorious to kill such as opposed the truth of the gospel, ran into the streets and wounded Hawkins, the famous sea-captain, whom he took for Hatton, the queen's favorite. The queen was so incensed that she ordered him to be punished immediately by martial law ; but, upon the remonstrance of some prudent counsellors, who told her that this law was usually confined to turbulent times, she recalled her order and delivered over Burchet to the common law.<sup>8</sup> But she continued not always so reserved in exerting this authority. There remains a proclamation of hers in which she orders martial law to be used against all such as import bulls, or even forbidden books and pamphlets, from abroad ;<sup>9</sup> and prohibits the questioning of the lieutenants, or their deputies, for their arbitrary punishment of such offenders, *any law or statute to the contrary in anywise notwithstanding*. We have another act of hers still more extraordinary. The streets of London were much infested with idle vagabonds and riotous persons. The lord mayor had endeavored to repress this disorder : the Star-chamber had exerted its authority and inflicted punishment on these rioters : but the queen, finding those remedies ineffectual, revived martial law, and gave Sir Thomas Wilford a commission of provost-marshal, "granting him authority, and commanding him, upon signification given by the justices of peace in London or the neighboring counties, of such offenders worthy to be speedily executed by martial law, to attach and take the same persons, and in the presence of the said justices, according to justice of martial law, to execute them upon the gallows or gibbet openly, or near to such place where the said rebellious and incorrigible offenders shall be found to have committed

<sup>6</sup> MS. of Lord Royston's, from the Paper Office.

<sup>7</sup> Strype's Eccles. Memoirs, vol. ii. pp. 373, 458, 459.

<sup>8</sup> Camden, p. 446. Strype, vol. ii. p. 288.

<sup>9</sup> Strype, vol. iii. p. 570.

the said great offences.”<sup>10</sup> I suppose it would be difficult to produce an instance of such an act of authority in any place nearer than Muscovy. The patent of high-constable granted to Earl Rivers by Edward IV. proves the nature of the office. The powers are unlimited, perpetual, and remain in force during peace as well as during war and rebellion. The Parliament in Edward IV.’s reign acknowledged the jurisdiction of the constable and marshal’s court to be part of the law of the land.<sup>11</sup>

The Star-chamber and high commission and court-martial, though arbitrary jurisdictions, had still some pretence of a trial, at least of a sentence; but there was a grievous punishment very generally inflicted in that age without any other authority than the warrant of a secretary of state or of the privy council;<sup>12</sup> and that was imprisonment in any jail and during any time that the ministers should think proper. In suspicious times all the jails were full of prisoners of state; and these unhappy victims of public jealousy were sometimes thrown into dungeons and loaded with irons, and treated in the most cruel manner, without their being able to obtain any remedy from law.

This practice was an indirect way of employing torture; but the rack itself, though not admitted in the ordinary execution of justice,<sup>13</sup> was frequently used upon any suspicion, by authority of a warrant from a secretary or the privy council. Even the council in the marches of Wales were empowered by their very commission to make use of torture whenever they thought proper.<sup>14</sup> There cannot be a stronger proof how lightly the rack was employed than the following story told by Lord Bacon. We shall give it in his own words: “The queen was mightily incensed against Haywarde on account of a book dedicated to Lord Essex, being a story of the first year of Henry IV., thinking it a seditious prelude to put into the people’s heads boldness and faction;<sup>15</sup> she said she had an opinion that there was treason in it, and asked me if I could not find any places in

<sup>10</sup> Rymer, vol. xvi. p. 279.

<sup>11</sup> 7 Edw. VI. cap. 20. See Sir John Davis’s Question concerning Impositions, p. 9.

<sup>12</sup> In 1588 the lord mayor committed several citizens to prison because they refused to pay the loan demanded of them. Murden, p. 632.

<sup>13</sup> Harrison, bk. ii. ch. 11.

<sup>14</sup> Haynes, p. 196. See, further, La Boderie, vol. i. p. 211.

<sup>15</sup> To our apprehension, Haywarde’s book seems rather to have a contrary tendency; for he has there preserved the famous speech of the Bishop of Carlisle, which contains, in the most express terms, the doctrine of passive obedience. But Queen Elizabeth was very difficult to please on this head.



it that might be drawn within the case of treason? Where-to I answered "For treason, sure I found none; but for felony very many.' And when her majesty hastily asked me, Wherein? I told her the author had committed very apparent theft; for he had taken most of the sentences of Cornelius Tacitus, and translated them into English, and put them into his text. And another time, when the queen could not be persuaded that it was his writing whose name was to it, but that it had some more mischievous author, and said, with great indignation, that she would have him racked to produce his author, I replied, 'Nay, madam, he is a doctor; never rack his person, but rack his style: let him have pen, ink, and paper, and help of books, and be enjoined to continue the story where it breaketh off, and I will undertake, by collating the styles, to judge whether he were the author or no.'"<sup>16</sup> Thus, had it not been for Bacon's humanity, or, rather, his wit, this author, a man of letters, had been put to the rack for a most innocent performance. His real offence was his dedicating a book to that munificent patron of the learned, the Earl of Essex, at a time when this nobleman lay under her majesty's displeasure.

The queen's menace of trying and punishing Haywarde for treason could easily have been executed, let his book have been ever so innocent. While so many terrors hung over the people, no jury durst have acquitted a man when the court was resolved to have him condemned. The practice, also, of not confronting witnesses with the prisoner gave the crown lawyers all imaginable advantage against him. And, indeed, there scarcely occurs an instance during all these reigns that the sovereign or the ministers were ever disappointed in the issue of a prosecution. Timid juries, and judges who held their offices during pleasure, never failed to second all the views of the crown. And as the practice was anciently common of fining, imprisoning, or otherwise punishing the jurors, merely at the discretion of the court, for finding a verdict contrary to the direction of these dependent judges, it is obvious that juries were then no manner of security to the liberty of the subject.

The power of pressing both for sea and land service, and obliging any person to accept of any office, however mean or unfit for him, was another prerogative totally incompatible with freedom. Osborne gives the following account of Elizabeth's method of employing this prerogative: "In case

<sup>16</sup> Cabala, p. 81.

she found any likely to interrupt her occasions," says he, "she did seasonably prevent him by a chargeable employment abroad, or putting him upon some service at home which she knew least grateful to the people: contrary to a false maxim, since practised with far worse success, by such princes as thought it better husbandry to buy off enemies than reward friends."<sup>17</sup> The practice with which Osborne reproaches the two immediate successors of Elizabeth, proceeded partly from the extreme difficulty of their situation, partly from the greater lenity of their disposition. The power of pressing, as may naturally be imagined, was often abused in other respects by men of inferior rank, and officers often exacted money for freeing persons from the service.<sup>18</sup>

The government of England during that age, however different in other particulars, bore in this respect some resemblance to that of Turkey at present: the sovereign possessed every power, except that of imposing taxes; and in both countries this limitation, unsupported by other privileges, appears rather prejudicial to the people. In Turkey, it obliges the sultan to permit the extortion of the bashaws and governors of provinces, from whom he afterwards squeezes presents or takes forfeitures; in England, it engaged the queen to erect monopolies and grant patents for exclusive trade, an invention so pernicious that, had she gone on during a track of years at her own rate, England, the seat of riches and arts and commerce, would have contained at present as little industry as Morocco or the coast of Barbary.

We may further observe that this valuable privilege, valuable only because it proved afterwards the means by which the Parliament extorted all their other privileges, was very much encroached on, in an indirect manner, during the reign of Elizabeth as well as of her predecessors. She often exacted loans from her people—an arbitrary and unequal kind of imposition, and which individuals felt severely; for, though the money had been regularly repaid, which was seldom the case,<sup>19</sup> it lay in the prince's hands without interest, which was a sensible loss to the persons from whom the money was borrowed.<sup>20</sup>

<sup>17</sup> Page 392.

<sup>18</sup> Murden, p. 181.

<sup>19</sup> Bacon, vol. iv. p. 362.

<sup>20</sup> In the second of Richard II. it was enacted that in loans which the king shall require of his subjects upon letters of privy seal, such as have *reasonable* excuse of not lending may there be received without further summons, travail, or grief. See Cotton's Abridg. p. 170. By this law the king's prerogative of exacting loans was ratified; and what ought to be deemed a *reasonable* excuse was still left in his own breast to determine.

There remains a proposal, made by Lord Burleigh, for levying a general loan on the people, equivalent to a subsidy<sup>21</sup>—a scheme which would have laid the burden more equally, but which was, in different words, a taxation imposed without consent of Parliament. It is remarkable that the scheme thus proposed, without any visible necessity, by that wise minister is the very same which Henry VIII. executed, and which Charles I., enraged by ill usage from his Parliament and reduced to the greatest difficulties, put afterwards in practice, to the great discontent of the nation.

The demand of benevolence was another invention of that age for taxing the people. This practice was so little conceived to be irregular that the Commons, in 1585, offered the queen a benevolence, which she very generously refused, as having no occasion at that time for money.<sup>22</sup> Queen Mary, also, by an order of council, increased the customs in some branches; and her sister imitated the example.<sup>23</sup> There was a species of ship-money imposed at the time of the Spanish invasion; the several ports were required to equip a certain number of vessels at their own charge; and such was the alacrity of the people for the public defence that some of the ports, particularly London, sent double the number demanded of them.<sup>24</sup> When any levies were made for Ireland, France, or the Low Countries, the queen obliged the counties to levy the soldiers, to arm and clothe them, and carry them to the seaports at their own charge. New-year's gifts were at that time expected from the nobility and from the more considerable gentry.<sup>25</sup>

Purveyance and pre-emption were also methods of taxation, unequal, arbitrary, and oppressive. The whole kingdom sensibly felt the burden of those impositions; and it was regarded as a great privilege conferred on Oxford and Cambridge to prohibit the purveyors from taking any commodities within five miles of these universities. The queen victualled her navy by means of this prerogative during the first years of her reign.<sup>26</sup>

Wardship was the most regular and legal of all these impositions by prerogative; yet was it a great badge of slavery, and oppressive to all the considerable families. When an estate devolved to a female, the sovereign obliged her to marry any one he pleased; whether the heir were male or female, the crown enjoyed the whole profit of the estate

<sup>21</sup> Haynes, pp. 518, 519.

<sup>22</sup> D'Ewes, p. 494.

<sup>23</sup> Bacon, vol. iv. p. 362.

<sup>24</sup> Monson, p. 267.

<sup>25</sup> Strype's Memoirs, vol. i. p. 137.

<sup>26</sup> Camden, p. 388.

during the minority. The giving of a rich wardship was a usual method of rewarding a courtier or favorite.

The inventions were endless which arbitrary power might employ for the extorting of money, while the people imagined that their property was secured by the crown's being debarred from imposing taxes. Strype has preserved a speech of Lord Burleigh to the queen and council in which are contained some particulars not a little extraordinary.<sup>27</sup> Burleigh proposes that she should erect a court for the correction of all abuses, and should confer on the commissioners a general inquisitorial power over the whole kingdom. He sets before her the example of her wise grandfather, Henry VII., who by such methods extremely augmented his revenue; and he recommends that this new court should proceed "as well by the direction and ordinary course of the laws as by virtue of her majesty's supreme regiment and *absolute power, from whence law proceeded.*" In a word, he expects from this institution greater accession to the royal treasure than Henry VIII. derived from the abolition of the abbeys and all the forfeitures of ecclesiastical revenues. This project of Lord Burleigh's needs not, I think, any comment. A form of government must be very arbitrary indeed where a wise and good minister could make such a proposal to the sovereign.

Embargoes on merchandise was another engine of royal power by which the English princes were able to extort money from the people. We have seen instances in the reign of Mary. Elizabeth, before her coronation, issued an order to the custom-house prohibiting the sale of all crimson silks which should be imported till the court were first supplied.<sup>28</sup> She expected, no doubt, a good pennyworth from the merchants while they lay under this restraint.

The Parliament pretended to the right of enacting laws, as well as of granting subsidies; but this privilege was, during that age, still more insignificant than the other. Queen Elizabeth expressly prohibited them from meddling either with state matters or ecclesiastical causes; and she openly sent the members to prison who dared to transgress her imperial edict in these particulars. There passed few sessions of Parliament during her reign where there occur not instances of this arbitrary conduct.

But the legislative power of the Parliament was a mere fallacy while the sovereign was universally acknowledged

<sup>27</sup> Annals, vol. iv. p. 234, et seq.

<sup>28</sup> Strype, vol. i. p. 27.



to possess a dispensing power by which all the laws could be invalidated and rendered of no effect. The exercise of this power was also an indirect method practised for erecting monopolies. Where the statutes laid any branch of manufacture under restrictions, the sovereign, by exempting one person from the laws, gave him in effect the monopoly of that commodity.<sup>29</sup> There was no grievance at that time more universally complained of than the frequent dispensing with the penal laws.<sup>30</sup>

But in reality the crown possessed the full legislative power by means of proclamations, which might affect any matter, even of the greatest importance, and which the Star-chamber took care to see more rigorously executed than the laws themselves. The motives for these proclamations were sometimes frivolous and even ridiculous. Queen Elizabeth had taken offence at the smell of woad, and she issued an edict prohibiting any one from cultivating that useful plant.<sup>31</sup> She was also pleased to take offence at the long swords and high ruffs then in fashion: she sent about her officers to break every man's sword and clip every man's ruff which was beyond a certain dimension.<sup>32</sup> This practice resembles the method employed by the great Czar Peter to make his subjects change their garb.

The queen's prohibition of the *propheesyings*, or the assemblies instituted for fanatical prayers and conferences, was founded on a better reason, but shows still the unlimited extent of her prerogative. Any number of persons could not meet together in order to read the Scriptures and confer about religion, though in ever so orthodox a manner, without her permission.

There were many other branches of prerogative incompatible with an exact or regular enjoyment of liberty. None of the nobility could marry without permission from the sovereign. The queen detained the Earl of Southampton long in prison because he privately married the Earl of Essex's cousin.<sup>33</sup> No man could travel without the consent of the prince. Sir William Evers underwent a severe persecution because he had presumed to pay a private visit to the King of Scots.<sup>34</sup> The sovereign even assumed a supreme and uncontrolled authority over all foreign trade; and neither allowed any person to enter or depart the kingdom,

<sup>29</sup> Rymer, vol. xv. p. 756. D'Ewes, p. 645.

<sup>30</sup> Murden, p. 325.

<sup>31</sup> Townsend's Journals, p. 250. Stowe's Annals.

<sup>32</sup> Townsend's Journals, p. 250. Stowe's Annals. Strype, vol. ii. p. 603.

<sup>33</sup> Birch's Memoirs, vol. ii. p. 422.

<sup>34</sup> Birch's Memoirs, vol. ii. p. 511.

nor any commodity to be imported or exported, without his consent.<sup>35</sup>

The Parliament, in the thirteenth of the queen, praised her for not imitating the practice usual among her predecessors, of stopping the course of justice by particular warrants.<sup>36</sup> There could not possibly be a greater abuse nor a stronger mark of arbitrary power, and the queen in refraining from it was very laudable. But she was by no means constant in this reserve. There remain in the public records some warrants of hers for exempting particular persons from all lawsuits and prosecutions;<sup>37</sup> and these warrants, she says, she grants from her royal prerogative, which she will not allow to be disputed.

It was very usual in Queen Elizabeth's reign, and probably in all the preceding reigns, for noblemen or privy-councillors to commit to prison any one who had happened to displease them by suing for his just debts; and the unhappy person, though he gained his cause in the courts of justice, was commonly obliged to relinquish his property in order to obtain his liberty. Some likewise, who had been delivered from prison by the judges, were again committed to custody in secret places, without any possibility of obtaining relief; and even the officers and sergeants of the courts of law were punished for executing the writs in favor of these persons. Nay, it was usual to send for people by pursuivants, a kind of harpies, who then attended the orders of the council and high commission; and they were brought up to London, and constrained by imprisonment not only to withdraw their lawful suits, but also to pay the pursuivants great sums of money. The judges, in the thirty-fourth of the queen, complain to her majesty of the frequency of this practice. It is probable that so egregious a tyranny was carried no further down than the reign of Elizabeth, since the Parliament who presented the petition of right found no later instances of it.<sup>38</sup> And even these very judges of Elizabeth, who thus protect the people against the tyranny of the great, expressly allow that a person committed by special command of the queen is not bailable.

It is easy to imagine that in such a government no justice could by course of law be obtained of the sovereign, unless he were willing to allow it. In the naval expedition under-

<sup>35</sup> Sir John Davis's Question concerning Impositions, *passim*.

<sup>36</sup> D'Ewes, p. 141.

<sup>37</sup> Rymer, vol. xv. pp. 652, 708, 777.

<sup>38</sup> Rushworth, vol. i. p. 511. Franklyn's Annals, pp. 250, 251.

taken by Raleigh and Frobisher against the Spaniards in the year 1592, a very rich carrack was taken, worth two hundred thousand pounds. The queen's share in the adventure was only a tenth, but as the prize was so great, and exceeded so much the expectation of all the adventurers she was determined not to rest contented with her share. Raleigh humbly and earnestly begged her to accept of a hundred thousand pounds in lieu of all demands, or rather extortions; and says that the presents which the proprietors were willing to make her, of eighty thousand pounds, was the greatest that prince ever received from a subject.<sup>39</sup>

But it is no wonder the queen in her administration should pay so little regard to liberty while the Parliament itself, in enacting laws, was entirely negligent of it. The persecuting statutes which they passed against Papists and Puritans are extremely contrary to the genius of freedom; and by exposing such multitudes to the tyranny of priests and bigots, accustomed the people to the most disgraceful subjection. Their conferring an unlimited supremacy on the queen, or, what is worse, acknowledging her inherent right to it, was another proof of their voluntary servitude.

The law of the twenty-third of her reign making seditious words against the queen capital is also a very tyrannical statute, and a use no less tyrannical was sometimes made of it. The case of Udal, a puritanical clergyman, seems singular, even in those arbitrary times. This man had published a book called a *Demonstration of Discipline*, in which he inveighed against the government of bishops; and though he had carefully endeavored to conceal his name, he was thrown into prison upon suspicion, and brought to a trial for this offence. It was pretended that the bishops were part of the queen's political body, and to speak against them was really to attack her, and was therefore felony by the statute. This was not the only iniquity to which Udal was exposed. The judges would not allow the jury to determine anything but the fact, whether Udal had written the book or not, without examining his intention or the import of the words. In order to prove the fact, the crown lawyers did not produce a single witness to the court; they only read the testimony of two persons absent, one of whom said that Udal had told him he was the author; another that a friend of Udal's had said so. They would not allow Udal to produce any exculpatory evidence, which they said was never to be

<sup>39</sup> Strype, vol. iv. pp. 128, 129.

permitted against the crown.<sup>40</sup> And they tendered him an oath, by which he was required to depose that he was not the author of the book; and his refusal to make that deposition was employed as the strongest proof of his guilt. It is almost needless to add that, notwithstanding these multiplied iniquities, a verdict of death was given by the jury against Udal; for, as the queen was extremely bent upon his prosecution, it was impossible he could escape.<sup>41</sup> He died in prison before execution of the sentence.

The case of Penry was, if possible, still harder. This man was a zealous Puritan, or rather a Brownist, a small sect, which afterwards increased, and received the name of Independents. He had written against the hierarchy several tracts, such as *Martin Marprelate*, *These Martinianæ*, and other compositions, full of low scurrility and petulant satire. After concealing himself for some years, he was seized; and as the statute against seditious words required that the criminal should be tried within a year after committing the offence, he could not be indicted for his printed books. He was therefore tried for some papers found in his pocket, as if he had thereby scattered sedition.<sup>42</sup> It was also imputed to him, by the lord keeper, Puckering, that in some of these papers "he had only acknowledged her majesty's royal power to *establish* laws ecclesiastical and civil, but had avoided the *usual* terms of *making, enacting, decreeing, and ordaining laws*, which imply," says the lord keeper, "a most absolute authority."<sup>43</sup> Penry, for these offences, was condemned and executed.

Thus we have seen that the *most absolute* authority of the sovereign, to make use of the lord keeper's expression, was established on above twenty branches of prerogative which are now abolished, and which were, every one of them, totally incompatible with the liberty of the subject. But what insured more effectually the slavery of the people than even these branches of prerogative was the established principles of the times, which attributed to the prince such an unlimited and indefeasible power as was supposed to be the origin of all law, and could be circumscribed by none. The homilies published for the use of the clergy, and which

<sup>40</sup> It was never fully established that the prisoner could legally produce evidence against the crown till after the Revolution. See Blackstone's Commentaries, vol. iv. p. 352.

<sup>41</sup> State Trials, vol. i. p. 144. Strype, vol. iv. p. 21. Strype's Life of Whitgift, p. 343.

<sup>42</sup> Strype's Life of Whitgift, bk. iv. ch. 11. Neal, vol. i. p. 564.

<sup>43</sup> Strype's Annals, vol. iv. p. 177.



they were enjoined to read every Sunday in all the churches, inculcate everywhere a blind and unlimited passive obedience to the prince, which, on no account, and under no pretence, it is ever lawful for subjects in the smallest article to depart from or infringe. Much noise has been made because some court chaplains during the succeeding reigns were permitted to preach such doctrines; but there is a great difference between these sermons and discourses published by authority, avowed by the prince and council, and promulgated to the whole nation.<sup>44</sup> So thoroughly were these principles imbibed by the people, during the reigns of Elizabeth and her predecessors, that opposition to them was regarded as the most flagrant sedition, and was not even rewarded by that public praise and approbation which can alone support men under such dangers and difficulties as attend the resistance of tyrannical authority.<sup>45</sup> It was only during the next generation that the noble principles of liberty took root, and, spreading themselves under the shelter of puritanical absurdities, became fashionable among the people.

It is worth remarking that the advantage usually ascribed to absolute monarchy—a greater regularity of police and a more strict execution of the laws—did not attend the former English government, though in many respects it fell under that denomination. A demonstration of this truth is contained in a judicious paper which is preserved by Strype,<sup>46</sup> and which was written by an eminent justice of peace of Somersetshire, in the year 1596, near the end of the queen's reign, when the authority of that princess may be supposed to be fully corroborated by time, and her maxims of government improved by long practice. This paper contains an account of the disorders which then prevailed in the county of Somerset. The author says that forty persons had there been executed in a year for robberies, thefts, and other felonies; thirty-five burned in the hand, thirty-seven whipped, and one hundred and eighty-three discharged;

<sup>44</sup> Gifford, a clergyman, was suspended, in the year 1584, for preaching up a limited obedience to the civil magistrate.—Neal, vol. i. p. 435.

<sup>45</sup> It is remarkable that in all the historical plays of Shakspeare, where the manners and characters, and even the transactions, of the several reigns are so exactly copied, there is scarcely any mention of *civil liberty*; which some pretended historians have imagined to be the object of all the ancient quarrels, insurrections, and civil wars. In the elaborate panegyric of England contained in the tragedy of Richard II., and the detail of its advantages, not a word of its civil constitution as anywise different from, or superior to, that of other European kingdoms—an omission which cannot be supposed in any English author that wrote since the Restoration, at least since the Revolution.

<sup>46</sup> Annals, vol. iv. p. 290.

that those who were discharged were most wicked and desperate persons, who would never come to any good, because they would not work, and none would take them into service; that, notwithstanding this great number of indictments, the fifth part of the felonies committed in the county were not brought to a trial; the greater number escaped censure, either from the superior cunning of the felons, the remissness of the magistrates, or the foolish lenity of the people; that the rapines committed by the infinite number of wicked, wandering, idle people were intolerable to the poor countrymen, and obliged them to keep a perpetual watch over their sheepfolds, their pastures, their woods, and their cornfields; that the other counties of England were in no better condition than Somersetshire, and many of them were even in a worse; that there were at least three or four hundred able-bodied vagabonds in every county who lived by theft and rapine, and who sometimes met in troops to the number of sixty, and committed spoil on the inhabitants; that if all the felons of this kind were assembled, they would be able, if reduced to good subjection, to give the greatest enemy her majesty has a *strong battle*; and that the magistrates themselves were intimidated from executing the laws upon them; and there were instances of justices of peace, who, after giving sentence against rogues, had interposed to stop the execution of their own sentence, on account of the danger which hung over them from the confederates of the felons.

In the year 1575, the queen complained in Parliament of the bad execution of the laws, and threatened that if the magistrates were not for the future more vigilant, she would intrust authority to indigent and needy persons, who would find an interest in a more exact administration of justice.<sup>47</sup> It appears that she was as good as her word; for, in the year 1601, there were great complaints made in Parliament of the rapine of justices of peace, and a member said that this magistrate was an animal who, for half a dozen of chickens, would dispense with a dozen of penal statutes.<sup>48</sup> It is not easy to account for this relaxation of government and neglect of police during a reign of so much vigor as that of Elizabeth. The small revenue of the crown is the most likely cause that can be assigned. The queen had it not in her power to interest a great number in assisting her to execute the laws.<sup>49</sup>

<sup>47</sup> D'Ewes, p. 234.

<sup>49</sup> See note [XX] at the end of the volume.

<sup>48</sup> D'Ewes, pp. 661-664.

On the whole, the English have no reason, from the example of their ancestors, to be in love with the picture of absolute monarchy, or to prefer the unlimited authority of the prince, and his unbounded prerogatives, to that noble liberty, that sweet equality, and that happy security by which they are at present distinguished above all nations in the universe. The utmost that can be said in favor of the government of that age (and perhaps it may be said with truth) is, that the power of the prince, though really unlimited, was exercised after the European manner, and entered not into every part of the administration; that the instances of a high exerted prerogative were not so frequent as to render property sensibly insecure, or reduce the people to a total servitude; that the freedom from faction, the quickness of execution, and the promptitude of those measures which could be taken for offence or defence made some compensation for the want of a legal and determinate liberty; that as the prince commanded no mercenary army, there was a tacit check on him which maintained the government in that medium to which the people had been accustomed; and that this situation of England, though seemingly it approached nearer, was in reality more remote from, a despotic and Eastern monarchy than the present government of that kingdom, where the people, though guarded by multiplied laws, are totally naked, defenceless, and disarmed; and, besides, are not secured by any middle power, or independent powerful nobility interposed between them and the monarch.

We shall close the present appendix with a brief account of the revenues, the military force, the commerce, the arts, and the learning of England during this period.

Queen Elizabeth's economy was remarkable, and in some instances seemed to border on avarice. The smallest expense, if it could possibly be spared, appeared considerable in her eyes; and even the charge of an express during the most delicate transactions was not below her notice.<sup>50</sup> She was also attentive to every profit, and embraced opportunities of gain which may appear somewhat extraordinary. She kept, for instance, the see of Ely vacant nineteen years in order to retain the revenue;<sup>51</sup> and it was usual with her, when she promoted a bishop, to take the opportunity of pillaging the see of some of its manors.<sup>52</sup> But that in re-

<sup>50</sup> Birch's Negotiations, p. 21.

<sup>51</sup> Strype, vol. iv, p. 351.

<sup>52</sup> Strype, vol. iv, p. 215. There is a curious letter of the queen's written to a Bishop of Ely, and preserved in the register of that see. It is in these words:

ality there was little or no avarice in the queen's temper appears from this circumstance, that she never amassed any treasure, and even refused subsidies from the Parliament when she had no present occasion for them. Yet we must not conclude, from this circumstance, that her economy proceeded from a tender concern for her people; she loaded them with monopolies and exclusive patents, which are much more oppressive than the most heavy taxes levied in an equal and regular manner. The real source of her frugal conduct was derived from her desire of independency, and her care to preserve her dignity, which would have been endangered had she reduced herself to the necessity of having frequent recourse to parliamentary supplies. In consequence of this motive, the queen, though engaged in successful and necessary wars, thought it more prudent to make a continual dilapidation of the royal demenses<sup>53</sup> than demand the most moderate supplies from the Commons. As she lived unmarried and had no posterity, she was content to serve her present turn, though at the expense of her successors, who, by reason of this policy, joined to other circumstances, found themselves, on a sudden, reduced to the most extreme indigence.

The splendor of a court was, during this age, a great part of the public charge; and as Elizabeth was a single woman, and expensive in no kind of magnificence except clothes, this circumstance enabled her to perform great things by her narrow revenue. She is said to have paid four millions of debt, left on the crown by her father, brother, and sister—an incredible sum for that age.<sup>54</sup> The States, at the time of her death, owed her about eight hundred thousand pounds; and the King of France, four hundred and fifty thousand.<sup>55</sup> Though that prince was extremely frugal, and, after the peace of Vervins, was continually amassing treasure, the queen never could, by the most press-

“Proud prelate, I understand you are backward in complying with your agreement; but I would have you know that I, who made you what you are, can unmake you; and if you do not forthwith fulfill your engagement, by God, I will immediately unfrock you! Yours, as you demean yourself—ELIZABETH.” The bishop, it seems, had promised to exchange some part of the land belonging to the see for a pretended equivalent, and did so; but it was in consequence of the above letter.—*Annual Register*, 1761, p. 15.

<sup>53</sup> Rymer, vol. xvi. p. 141. D'Ewes, pp. 151, 457, 525, 629. Bacon, vol. iv. p. 363.

<sup>54</sup> D'Ewes, p. 473. I think it impossible to reconcile this account of the public debts with that given by Strype, *Eccles. Mem.* vol. ii. p. 344, that in the year 1553 the crown owed but three hundred thousand pounds. I own that this last sum appears a great deal more likely. The whole revenue of Queen Elizabeth would not in ten years have paid four millions.

<sup>55</sup> Winwood, vol. i. pp. 29, 54.



ing importunities, prevail on him to make payment of those sums which she had so generously advanced him during his greatest distresses. One payment of twenty thousand crowns, and another of fifty thousand, were all she could obtain by the strongest representations she could make of the difficulties to which the rebellion in Ireland had reduced her.<sup>56</sup> The queen expended on the wars with Spain, between the years 1589 and 1593, the sum of one million three hundred thousand pounds, besides the pittance of a double subsidy, amounting to two hundred and eighty thousand pounds granted her by Parliament.<sup>57</sup> In the year 1599 she spent six hundred thousand pounds in six months on the service of Ireland.<sup>58</sup> Sir Robert Cecil affirmed that in ten years Ireland cost her three millions four hundred thousand pounds.<sup>59</sup> She gave the Earl of Essex a present of thirty thousand pounds upon his departure for the government of that kingdom.<sup>60</sup> Lord Burleigh computed that the value of the gifts conferred on that favorite amounted to three hundred thousand pounds—a sum which, though probably exaggerated, is a proof of her strong affection towards him. It was a common saying during this reign, “The queen pays bountifully, though she rewards sparingly.”<sup>61</sup>

It is difficult to compute exactly the queen’s ordinary revenue, but it certainly fell much short of five hundred thousand pounds a year.<sup>62</sup> In the year 1590, she raised the customs from fourteen thousand pounds a year to fifty thousand, and obliged Sir Thomas Smith, who had farmed them, to refund some of his former profits.<sup>63</sup> This improvement of the revenue was owing to the suggestions of one Caermarthen, and was opposed by Burleigh, Leicester, and Walsingham; but the queen’s perseverance overcame all their opposition. The great undertakings which she executed with so narrow a revenue, and with such small supplies from her people, prove the mighty effects of wisdom and economy. She received from the Parliament, during the course of her whole reign, only twenty subsidies and thirty-nine

<sup>56</sup> Winwood, vol. i. pp. 117, 395.

<sup>57</sup> D'Ewes, p. 483.

<sup>58</sup> Camden, p. 167.

<sup>59</sup> Appendix to the Earl of Essex’s Apology.

<sup>60</sup> Birch’s Memoirs, vol. ii.

<sup>61</sup> Naunton’s Regalia, ch. i.

<sup>62</sup> Franklyn, in his Annals, p. 9, says that the profit of the kingdom, besides wards and the duchy of Lancaster (*which amounted to about one hundred and twenty thousand pounds*), was one hundred and eighty-eight thousand one hundred and ninety-seven pounds. The crown lands seem to be comprehended in this computation.

<sup>63</sup> Camden, p. 558. This account of Camden is difficult or impossible to be reconciled to the state of the customs in the beginning of the subsequent reign, as they appear in the Journals of the Commons. See Hist. of James, ch. 46.

fifteenths. I pretend not to determine exactly the amount of these supplies, because the value of a subsidy was continually falling, and in the end of her reign it amounted only to eighty thousand pounds.<sup>64</sup> If we suppose that the supplies granted Elizabeth during a reign of forty-five years amounted to three millions, we shall not probably be much wide of the truth.<sup>65</sup> This sum makes only sixty-six thousand six hundred and sixty-six pounds a year; and it is surprising that while the queen's demands were so moderate and her expenses so well regulated, she should ever have found any difficulty in obtaining a supply from Parliament, or be reduced to make sale of the crown lands. But such was the extreme, I had almost said absurd, parsimony of the parliaments during that period. They valued nothing in comparison of their money. The members had no connection with the court; and the very idea which they conceived of the trust committed to them was to reduce the demands of the crown, and to grant as few supplies as possible. The crown, on the other hand, conceived the Parliament in no other light than as a means of supply. Queen Elizabeth made a merit to her people of seldom summoning parliaments.<sup>66</sup> No redress of grievances was expected from these assemblies. They were supposed to meet for no other purpose than to impose taxes.

Before the reign of Elizabeth, the English princes had usually recourse to the city of Antwerp for voluntary loans; and their credit was so low that besides paying the high interest of ten or twelve per cent., they were obliged to make

<sup>64</sup> D'Ewes, p. 630.

<sup>65</sup> Lord Salisbury computed these supplies only at two million eight hundred thousand pounds.—*Journ.* 17th Feb. 1609. King James was certainly mistaken when he estimated the queen's annual supplies at one hundred and thirty-seven thousand pounds.—*Franklyn*, p. 44. It is curious to observe that the minister, in the war begun in 1754, was in some periods allowed to lavish, in two months, as great a sum as was granted by Parliament to Queen Elizabeth in forty-five years. The extreme frivolous object of the late war, and the great importance of hers, set this matter in still a stronger light. Money, too, we may observe, was in most particulars of the same value in both periods. She paid eightpence a day to every foot-soldier. But our late delusions have much exceeded anything known in history, not even excepting those of the crusades. For I suppose there is no mathematical, still less an arithmetical, demonstration that the road to the Holy Land was not the road to Paradise, as there is that the endless increase of national debts is the direct road to national ruin. But having now completely reached that goal, it is needless, at present, to reflect on the past. It will be found in the present year, 1776, that all the revenues of this island north of Trent and west of Reading are mortgaged or anticipated forever. Could the small remainder be in a worse condition were those provinces seized by Austria and Prussia? There is only this difference, that some event might happen in Europe which would oblige these great monarchs to disgorge their acquisitions. But no imagination can figure a situation which will induce our creditors to relinquish their claims or the public to seize their revenues. So egregious indeed has been our folly that we have even lost all title to compassion in the numberless calamities that are awaiting us.

<sup>66</sup> *Styrie*, vol. iv. p. 124.

the city of London join in the security. Sir Thomas Gresham, that great and enterprising merchant, one of the chief ornaments of this reign, engaged the company of merchant adventurers to grant a loan to the queen; and as the money was regularly repaid, her credit by degrees established itself in the city, and she shook off this dependence on foreigners.<sup>67</sup>

In the year 1559, however, the queen employed Gresham to borrow for her two hundred thousand pounds at Antwerp, in order to enable her to reform the coin, which was at that time extremely debased.<sup>68</sup> She was so impolitic as to make, herself, an innovation in the coin, by dividing a pound of silver into sixty-two shillings, instead of sixty, the former standard. This is the last time that the coin has been tampered with in England.

Queen Elizabeth, sensible how much the defence of her kingdom depended on its naval power, was desirous to encourage commerce and navigation. But as her monopolies tended to extinguish all domestic industry, which is much more valuable than foreign trade, and is the foundation of it, the general train of her conduct was ill calculated to serve the purpose at which she aimed, much less to promote the riches of her people. The exclusive companies, also, were an immediate check on foreign trade. Yet, notwithstanding these discouragements, the spirit of the age was strongly bent on naval enterprises. And besides the military expeditions against the Spaniards, many attempts were made for new discoveries, and many new branches of foreign commerce were opened by the English. Sir Martin Frobisher undertook three fruitless voyages to discover the northwest passage. Davis, not discouraged by this ill success, made a new attempt, when he discovered the straits which pass by his name. In the year 1600, the queen granted the first patent to the East India Company. The stock of that company was seventy-two thousand pounds; and they fitted out four ships, under the command of James Lancaster, for this new branch of trade. The adventure was successful; and the ships returning with a rich cargo, encouraged the company to continue the commerce.

The communication with Muscovy had been opened in Queen Mary's time by the discovery of the passage to Archangel. But the commerce to that country did not begin to

<sup>67</sup> Stowe's Survey of London; bk. i. p. 286.

<sup>68</sup> MS. of Lord Royston's from the Paper Office, p. 295.

be carried on to a great extent till about the year 1569. The queen obtained from the czar an exclusive patent to the English for the whole trade of Muscovy,<sup>69</sup> and she entered into a personal as well as national alliance with him. This czar was named John Basilides, a furious tyrant, who, continually suspecting the revolt of his subjects, stipulated to have a safe retreat and protection in England. In order the better to insure this resource, he purposed to marry an Englishwoman; and the queen intended to have sent him Lady Anne Hastings, daughter of the Earl of Huntingdon; but when the lady was informed of the barbarous manners of the country, she wisely declined purchasing an empire at the expense of her ease and safety.<sup>70</sup>

The English, encouraged by the privileges which they had obtained from Basilides, ventured farther into those countries than any Europeans had formerly done. They transported their goods along the river Dwina in boats made of one entire tree, which they towed and rowed up the stream as far as Walogda. Thence they carried their commodities seven days' journey by land to Yeraslau, and then down the Volga to Astracan. At Astracan they built ships, crossed the Caspian Sea, and distributed their manufactures into Persia. But this bold attempt met with such discouragements that it was never renewed.<sup>71</sup>

After the death of John Basilides, his son Theodore revoked the patent which the English enjoyed for a monopoly of the Russian trade. When the queen remonstrated against this innovation, he told her ministers that princes must carry an indifferent hand as well between their subjects as between foreigners; and not convert trade, which by the laws of nations ought to be common to all, into a monopoly for the private gain of a few.<sup>72</sup> So much juster notions of commerce were entertained by this barbarian than appear in the conduct of the renowned Queen Elizabeth! Theodore, however, continued some privileges to the English on account of their being the discoverers of the communication between Europe and his country.

The trade to Turkey commenced about the year 1583; and that commerce was immediately confined to a company by Queen Elizabeth. Before that time the Grand Seignior had always conceived England to be a dependent province of France;<sup>73</sup> but, having heard of the queen's power and

<sup>69</sup> Camden, p. 408.

<sup>72</sup> Camden, p. 493.

<sup>70</sup> Camden, p. 493.

<sup>71</sup> Camden, p. 418.

<sup>73</sup> Birch's Memoirs, vol. i. p. 36.



reputation, he gave a good reception to the English, and even granted them larger privileges than he had given to the French.

The merchants of the Hanse towns complained loudly, in the beginning of Elizabeth's reign, of the treatment which they had received in the reigns of Edward and Mary. She prudently replied that as she would not innovate anything, she would still protect them in the immunities and privileges of which she found them possessed. This answer not contenting them, their commerce was soon after suspended for a time, to the great advantage of the English merchants, who tried what they could themselves effect for promoting their commerce. They took the whole trade into their own hands; and, their returns proving successful, they divided themselves into staplers and merchant adventurers; the former residing constantly at one place, the latter trying their fortunes in other towns and states abroad with cloth and other manufactures. This success so enraged the Hanse towns that they tried all the methods which a discontented people could devise to draw upon the English merchants the ill opinion of other nations and states. They prevailed so far as to obtain an imperial edict by which the English were prohibited all commerce in the empire. The queen, by way of retaliation, retained sixty of their ships, which had been seized in the river Tagus with contraband goods of the Spaniards. These ships the queen intended to have restored, as desiring to have compromised all differences with those trading cities; but when she was informed that a general assembly was held at Lubec, in order to concert measures for distressing the English trade, she caused the ships and cargoes to be confiscated. Only two of them were released to carry home the news, and to inform these states that she had the greatest contempt imaginable for all their proceedings.<sup>74</sup>

Henry VIII., in order to fit out a navy, was obliged to hire ships from Hamburgh, Lubec, Dantzic, Genoa, and Venice; but Elizabeth, very early in her reign, put affairs upon a better footing, both by building some ships of her own and by encouraging the merchants to build large trading-vessels, which, on occasion, were converted into ships-of-war.<sup>75</sup> In the year 1582, the seamen in England were found to be fourteen thousand two hundred and ninety-five

<sup>74</sup> Lives of the Admirals, vol. i. p. 470.

<sup>75</sup> Camden, p. 388.

men; <sup>75</sup> the number of vessels twelve hundred and thirty-two, of which there were only two hundred and seventeen above eighty tons. Monson pretends that though navigation decayed in the first years of James I. by the practice of the merchants, who carried on their trade in foreign bottoms, <sup>77</sup> yet, before the year 1640, this number of seamen was tripled in England. <sup>78</sup>

The navy which the queen left at her decease appears considerable when we reflect only on the number of vessels, which were forty-two. But when we consider that none of these ships carried above forty guns; that four only came up to that number; that there were but two ships of a thousand tons, and twenty-three below five hundred, some of fifty, and some even of twenty tons; and that the whole number of guns belonging to the fleet was seven hundred and seventy-four, <sup>79</sup> we must entertain a contemptible idea of the English navy compared to the force which it has now attained. <sup>80</sup> In the year 1588 there were not above five vessels fitted out by the noblemen and seaports which exceeded two hundred tons. <sup>81</sup>

In the year 1599, an alarm was given of an invasion by the Spaniards, and the queen equipped a fleet and levied an army in a fortnight to oppose them. Nothing gave foreigners a higher idea of the power of England than this sudden armament. In the year 1575, all the militia in the kingdom were computed at a hundred and eighty-two thousand nine hundred and twenty nine. <sup>82</sup> A distribution was made, in the year 1595, of a hundred and forty thousand men, besides those which Wales could supply. <sup>83</sup> These armies were formidable by their numbers, but their discipline and experience were not proportionate. Small bodies from Dunkirk and Newport frequently ran over and plundered the east coast; so unfit was the militia, as it was then constituted, for the defence of the kingdom. The lord-lieutenants were first appointed to the counties in this reign.

Mr. Murden <sup>84</sup> has published, from the Salisbury collections, a paper which contains the military force of the nation at the time of the Spanish Armada, and which is somewhat different from the account given by our ordinary historians. It makes all the able-bodied men of the kingdom

<sup>76</sup> Monson, p. 256.

<sup>77</sup> Monson, p. 300.

<sup>78</sup> Monson, pp. 210, 256.

<sup>79</sup> Monson, p. 196. The English navy at present carries about fourteen thousand guns.

<sup>80</sup> See note [YY] at the end of the volume.

<sup>82</sup> Lives of the Admirals, vol. i. p. 432.

<sup>84</sup> Page 608.

<sup>81</sup> Monson, p. 300.

<sup>83</sup> Strype, vol. iv. p. 221.

amount to a hundred and eleven thousand five hundred and thirteen; those armed to eighty thousand eight hundred and seventy-five; of whom forty-four thousand seven hundred and twenty-seven were trained. It must be supposed that these able-bodied men consisted of such only as were registered, otherwise the small number is not to be accounted for. Yet Sir Edward Coke<sup>85</sup> said in the House of Commons that he was employed about the same time, together with Popham, chief-justice, to take a survey of all the people of England, and that they found them to be nine hundred thousand of all sorts. This number, by the ordinary rules of computation, supposes that there were above two hundred thousand men able to bear arms. Yet even this number is surprisingly small. Can we suppose that the kingdom is six or seven times more populous at present, and that Murden's was the real number of men, excluding Catholics and children and infirm persons?

Harrison says that in the musters taken in the years 1574 and 1575, the men fit for service amounted to one million one hundred and seventy-two thousand six hundred and seventy-four; yet it was believed that a full third was omitted, such uncertainty and contradiction are there in all these accounts. Notwithstanding the greatness of this number, the same author complains much of the decay of populousness—a vulgar complaint in all places and all ages. Guicciardini makes the inhabitants of England in this reign amount to two millions.

Whatever opinion we may form of the comparative populousness of England in different periods, it must be allowed that, abstracting from the national debt, there is a prodigious increase of power in that, more perhaps than in any other European state since the beginning of the last century. It would be no paradox to affirm that Ireland alone could at present exert a greater force than all the three kingdoms were capable of at the death of Queen Elizabeth. And we might go further and assert that one good county in England is able to make, at least to support, a greater effort than the whole kingdom was capable of in the reign of Henry V., when the maintenance of a garrison, in a small town like Calais, formed more than a third of the ordinary national expense. Such are the effects of liberty, industry, and good government!

The state of the English manufactures was at this time

<sup>85</sup> Journal, 25th April, 1621.

very low, and foreign wares of almost all kinds had the preference.<sup>86</sup> About the year 1590 there were in London four persons only rated in the subsidy-books so high as four hundred pounds.<sup>87</sup> This computation is not, indeed, to be deemed an exact estimate of their wealth. In 1567 there were found, on inquiry, to be four thousand eight hundred and fifty-one strangers of all nations in London, of whom three thousand eight hundred and thirty-eight were Flemings, and only fifty-eight Scots.<sup>88</sup> The persecutions in France and the Low Countries drove afterwards a greater number of foreigners into England; and the commerce as well as manufactures of that kingdom was very much improved by them.<sup>89</sup> It was then that Sir Thomas Gresham built, at his own charge, the magnificent fabric of the Exchange for the reception of the merchants: the queen visited it, and gave it the appellation of the Royal Exchange.

By a lucky accident in language, which has a great effect on men's ideas, the invidious word usury, which formerly meant the taking of any interest for money, came now to express only the taking of exorbitant and illegal interest. An act passed in 1571 violently condemns all usury, but permits ten per cent. interest to be paid. Henry IV. of France reduced interest to six and a half per cent., an indication of the great advance of France above England in commerce.

Dr. Howell says<sup>90</sup> that Queen Elizabeth, in the third of her reign, was presented with a pair of black silk knit stockings by her silk-woman, and never wore cloth hose any more. The author of the *Present State of England* says that about 1577 pocket-watches were first brought into England from Germany. They are thought to have been invented at Nuremberg. About 1580, the use of coaches was introduced by the Earl of Arundel.<sup>91</sup> Before that time the queen, on public occasions, rode behind her chamberlain.

C:mden says that in 1581 Randolph, so much employed by the queen in foreign embassies, possessed the office of postmaster-general of England. It appears, therefore, that posts were then established; though, from Charles I.'s regulations in 1635, it would seem that few post-houses were erected before that time.

In a remonstrance of the Hanse towns to the Diet of the Empire in 1582, it is affirmed that England exported an-

<sup>86</sup> D'Ewes, p. 505.

<sup>88</sup> Haynes, pp. 461, 462.

<sup>90</sup> History of the World, vol. ii. p. 222.

<sup>87</sup> D'Ewes, p. 497.

<sup>89</sup> Stowe, p. 688.

<sup>91</sup> Anderson, vol. i. p. 421.



nually about two hundred thousand pieces of cloth.<sup>92</sup> This number seems to be much exaggerated.

In the fifth of this reign was enacted the first law for the relief of the poor.

A judicious author of that age confirms the vulgar observation that the kingdom was depopulating from the increase of enclosures and decay of tillage; and he ascribes the reason very justly to the restraints put on the exportation of corn, while full liberty was allowed to export all the produce of pasturage, such as wool, hides, leather, tallow, etc. The prohibitions of exportation were derived from the prerogative, and were very injudicious. The queen once, on the commencement of her reign, had tried a contrary practice, and with good success. From the same author we learn that the complaints, renewed in our time, were then very common concerning the high prices of everything.<sup>93</sup> There seems, indeed, to have been two periods in which prices rose remarkably in England—namely, that in Queen Elizabeth's reign, when they are computed to have doubled, and that in the present age. Between the two there seems to have been a stagnation. It would appear that industry, during that intermediate period, increased as fast as gold and silver, and kept commodities nearly at a par with money.

There were two attempts made in this reign to settle colonies in America—one by Sir Humphrey Gilbert in Newfoundland, another by Sir Walter Raleigh in Virginia; but neither of these projects proved successful. All those noble settlements were made in the following reigns. The current specie of the kingdom in the end of this reign is computed at four millions.<sup>94</sup>

The Earl of Leicester desired Sir Francis Walsingham, then ambassador in France, to provide him with a riding-master in that country, to whom he promises a hundred pounds a year, besides maintaining himself and servant and a couple of horses. "I know," adds the earl, "that such a man as I want may receive higher wages in France; but let him consider that a shilling in England goes as far as two

<sup>92</sup> Anderson, vol. i. p. 424.

<sup>93</sup> A Compendious or Brief Examination of certain Ordinary Complaints of divers of our Countrymen. The author says that in twenty or thirty years before 1581 commodities had in general risen fifty per cent.; some more. "Cannot you, neighbor, remember," says he, "that within these thirty years, I could in this town buy the best pig or goose I could lay my hands on for fourpence, which now costeth twelvpence; a good capon for threepence or fourpence; a chicken for a penny; a hen for twopence?"—P. 35. Yet the price of ordinary labor was then eightpence a day.—P. 31.

<sup>94</sup> Lives of the Admirals, vol. i. p. 475.

shillings in France.”<sup>95</sup> It is known that everything is much changed since that time.

The nobility in this age still supported, in some degree, the ancient magnificence in their hospitality and in the numbers of their retainers; and the queen found it prudent to retrench, by proclamation, their expenses in this last particular.<sup>96</sup> The expense of hospitality she somewhat encouraged by the frequent visits she paid her nobility and the sumptuous feasts which she received from them.<sup>97</sup> The Earl of Leicester gave her an entertainment in Kenilworth Castle, which was extraordinary for expense and magnificence. Among other particulars, we are told that three hundred and sixty-five hogsheads of beer were drunk at it.<sup>98</sup> The earl had fortified this castle at great expense, and it contained arms for ten thousand men.<sup>99</sup> The Earl of Derby had a family consisting of two hundred and forty servants.<sup>100</sup> Stowe remarks it as a singular proof of beneficence in this nobleman that he was contented with his rent from his tenants, and exacted not any extraordinary services from them—a proof that the great power of the sovereign (what was almost unavoidable) had very generally countenanced the nobility in tyrannizing over the people. Burleigh, though he was frugal and had no paternal estate, kept a family consisting of a hundred servants.<sup>101</sup> He had a standing table for gentlemen, and two other tables for persons of meaner condition, which were always served alike, whether he were in town or in the country. About his person he had people of great distinction, insomuch that he could reckon up twenty gentlemen retainers, who had each a thousand pounds a year; and as many among his ordinary servants who were worth from a thousand pounds to three, five, ten, and twenty thousand pounds.<sup>102</sup> It is to be remarked that though the revenues of the crown were at that time very

<sup>95</sup> Digges's Complete Ambassador.

<sup>96</sup> Strype, vol. iii. Appendix, p. 54.

<sup>97</sup> Harrison, after enumerating the queen's palaces, adds: "But what shall I need to take upon me to repeat all, and tell what houses the queen's majesty hath? Sith all is hers; and when it pleaseth her in the summer season to recreate herself abroad, and view the estate of the country, and hear the complaints of her poor Commons, injured by her unjust officers or their substitutes, every nobleman's house is her palace, where she continueth during pleasure, and till she return again to some of her own, in which she remaineth so long as she pleaseth."—Bk. ii. ch. 15. Surely one may say of such a guest what Cicero says to Atticus on occasion of a visit paid him by Cæsar, "*Hospes tamen non is cui diceres, Amabo te, eodem ad me cum revertère.*"—Lib. 13, ep. 52. If she relieved the people from oppressions (to whom, it seems, the law could give no relief), her visits were a great oppression on the nobility.

<sup>98</sup> Biogr. Brit. vol. iii. p. 1791.

<sup>99</sup> Strype, vol. iii. p. 394.

<sup>100</sup> Stowe, p. 674.

<sup>101</sup> Strype, vol. iii. Appendix, p. 129.

<sup>102</sup> Life of Burleigh, published by Collins.

small, the ministers and courtiers sometimes found means, by employing the boundless prerogative, to acquire greater fortunes than it is possible for them at present to amass, from their large salaries and more limited authority,

Burleigh entertained the queen twelve several times in his country-house, where she remained three, four, or five weeks at a time. Each visit cost him two or three thousand pounds.<sup>103</sup> The quantity of silver plate possessed by this nobleman is surprising—no less than fourteen or fifteen thousand pounds' weight,<sup>104</sup> which, besides the fashion, would be above forty-two thousand pounds sterling in value. Yet Burleigh left only four thousand pounds a year in land and eleven thousand pounds in money; and as land was then commonly sold at ten years' purchase, his plate was nearly equal to all the rest of his fortune. It appears that little value was then put upon the fashion of the plate, which probably was but rude; the weight was chiefly considered.<sup>105</sup>

But though there were preserved great remains of the ancient customs, the nobility were by degrees acquiring a taste for elegant luxury; and many edifices in particular were built by them, neat, large, and sumptuous, to the great ornament of the kingdom, says Camden,<sup>106</sup> but to the no less decay of the glorious hospitality of the nation. It is, however, more reasonable to think that this new turn of expense promoted arts and industry, while the ancient hospitality was the source of vice, disorder, sedition, and idleness.<sup>107</sup>

Among the other species of luxury, that of apparel began much to increase during this age; and the queen thought proper to restrain it by proclamation.<sup>108</sup> Her example was very little conformable to her edicts. As no woman was ever more conceited of her beauty, or more desirous of making impression on the hearts of the beholders, no one ever went to a greater extravagance in apparel, or studied more the variety and richness of her dresses. She appeared almost every day in a different habit, and tried all the several modes by which she hoped to render herself agreeable. She was also so fond of her clothes that she never could part with any of them; and at her death she had in her

<sup>103</sup> Life of Burleigh, published by Collins, p. 40.

<sup>104</sup> See note [ZZ] at the end of the volume.

<sup>105</sup> This appears from Burleigh's will; he specifies only the number of ounces to be given to each legatee, and appoints a goldsmith to see it weighed out to them, without making any distinction of the pieces.

<sup>106</sup> Page 452.

<sup>107</sup> See note [AAA] at the end of the volume.

<sup>108</sup> Camden, p. 452.

wardrobe all the different habits, to the number of three thousand, which she had ever worn in her lifetime.<sup>109</sup>

The retrenchment of the ancient hospitality and the diminution of retainers were favorable to the prerogative of the sovereign; and, by disabling the great noblemen from resistance, promoted the execution of the laws, and extended the authority of the courts of justice. There were many peculiar causes in the situation and character of Henry VII. which augmented the authority of the crown: most of these causes concurred in succeeding princes, together with the factions in religion, and the acquisition of the supremacy—a most important article of prerogative; but the manners of the age were a general cause which operated during this whole period, and which continually tended to diminish the riches, and still more the influence, of the aristocracy, anciently so formidable to the crown. The habits of luxury dissipated the immense fortunes of the ancient barons; and as the new methods of expense gave subsistence to mechanics and merchants, who lived in an independent manner on the fruits of their own industry, a nobleman, instead of that unlimited ascendant which he was wont to assume over those who were maintained at his board, or subsisted by salaries conferred on them, retained only that moderate influence which customers have over tradesmen, and which can never be dangerous to civil government. The landed proprietors also, having a greater demand for money than for men, endeavored to turn their lands to the best account with regard to profit; and, either enclosing their fields or joining many small farms into a few large ones, dismissed those useless hands which formerly were at their call in every attempt to subvert the government or oppose a neighboring baron. By all these means the cities increased; the middle rank of men began to be rich and powerful; the prince, who in effect was the same with the law, was implicitly obeyed; and though the further progress of the same causes begat a new plan of liberty, founded on the privileges of the Commons, yet in the interval between the fall of the nobles and the rise of this order the sovereign took advantage of the present situation, and assumed an authority almost absolute.

Whatever may be commonly imagined, from the authority of Lord Bacon, and from that of Harrington and later authors, the laws of Henry VII. contributed very little to-

<sup>109</sup> Carte, vol. iii. p. 762, from Beaumont's Despatches.



wards the great revolution which happened about this period in the English constitution. The practice of breaking entails by a fine and recovery had been introduced in the preceding reigns; and this prince only gave indirectly a legal sanction to the practice by reforming some abuses which attended it. But the settled authority which he acquired to the crown enabled the sovereign to encroach on the separate jurisdictions of the barons, and produced a more general and regular execution of the laws. The counties palatine underwent the same fate as the feudal powers; and by a statute of Henry VIII.<sup>110</sup> the jurisdiction of these counties was annexed to the crown, and all writs were ordained to run in the king's name. But the change of manners was the chief cause of the secret revolution of government, and subverted the power of the barons. There appear still in this reign some remains of the ancient slavery of the boors and peasants,<sup>111</sup> but none afterwards.

Learning, on its revival, was held in high estimation by the English princes and nobles; and as it was not yet proscribed by being too common, even the great deemed it an object of ambition to attain a character for literature. The four successive sovereigns, Henry, Edward, Mary, and Elizabeth, may, on one account or other, be admitted into the class of authors. Queen Catharine Parr translated a book. Lady Jane Gray, considering her age and her sex and her station, may be regarded as a prodigy of literature. Sir Thomas Smith was raised from being a professor in Cambridge, first to be ambassador to France, then secretary of state. The despatches of those times, and, among others, those of Burleigh himself, are frequently interlarded with quotations from the Greek and Latin classics. Even the ladies of the court valued themselves on knowledge: Lady Burleigh, Lady Bacon, and their two sisters were mistresses of the ancient as well as modern languages, and placed more pride in their erudition than in their rank and quality.

Queen Elizabeth wrote and translated several books, and she was familiarly acquainted with the Greek as well as Latin tongue.<sup>112</sup> It is pretended that she made an extemporary reply in Greek to the University of Cambridge, who had addressed her in that language. It is certain that she answered in Latin without premeditation, and in a very spirited manner, to the Polish ambassador, who had been

<sup>110</sup> 27 Hen. VIII. cap. 24.

<sup>112</sup> See note [BBB] at the end of the volume.

<sup>111</sup> Rymer, vol. xv. p. 731.

wanting in respect to her. When she had finished, she turned about to her courtiers, and said, "God's death, my lords!" (for she was much addicted to swearing) "I have been forced this day to scour up my old Latin, that hath long lain rusting."<sup>113</sup> Elizabeth, even after she was queen, did not entirely drop the ambition of appearing as an author; and, next to her desire of ambition for beauty, this seems to have been the chief object of her vanity. She translated Boethius, *Of the Consolation of Philosophy*, in order, as she pretended, to allay her grief for Henry IV.'s change of religion. As far as we can judge from Elizabeth's compositions, we may pronounce that, notwithstanding her application and her excellent parts, her taste in literature was but indifferent: she was much inferior to her successor in this particular, who was himself no perfect model of eloquence.

Unhappily for literature, at least for the learned of this age, the queen's vanity lay more in shining by her own learning than in encouraging men of genius by her liberality. Spenser himself, the finest English writer of his age, was long neglected, and, after the death of Sir Philip Sidney, his patron, was allowed to die almost for want. This poet contains great beauties, a sweet and harmonious versification, easy elocution, a fine imagination. Yet does the perusal of his work become so tedious that one never finishes it from the mere pleasure which it affords: it soon becomes a kind of task-reading; and it requires some effort and resolution to carry us on to the end of his long performance. This effect, of which every one is conscious, is usually ascribed to the change of manners; but manners have more changed since Homer's age; and yet that poet remains still the favorite of every reader of taste and judgment. Homer copied true, natural manners, which, however rough or uncultivated, will always form an agreeable and interesting picture; but the pencil of the English poet was employed in drawing the affectations and conceits and fopperies of chivalry, which appear ridiculous as soon as they lose the recommendation of the mode. The tediousness of continued allegory, and that too seldom striking or ingenious, has also contributed to render the "*Fairy Queen*" peculiarly tiresome; not to mention the too great frequency of its descriptions, and the languor of its stanza. Upon the whole, Spenser maintains his place upon the shelves among our English

classics, but he is seldom seen on the table; and there is scarcely any one, if he dares to be ingenuous, but will confess that, notwithstanding all the merit of the poet, he affords an entertainment with which the palate is soon satiated. Several writers of late have amused themselves in copying the style of Spenser; and no imitation has been so indifferent as not to bear a great resemblance to the original: his manner is so peculiar that it is almost impossible not to transfer some of it into the copy.

## CHAPTER XLV.

## JAMES I.

INTRODUCTION.—JAMES'S FIRST TRANSACTIONS.—STATE OF EUROPE. — ROSNI'S NEGOTIATIONS. — RALEIGH'S CONSPIRACY.—HAMPTON COURT CONFERENCE.—A PARLIAMENT.—PEACE WITH SPAIN.

[1603.] THE crown of England was never transmitted from father to son with greater tranquillity than it passed from the family of Tudor to that of Stuart. During the whole reign of Elizabeth, the eyes of men had been employed in search of her successor; and when old age had made the prospect of her death more immediate, there appeared none but the King of Scots who could advance any just claim or pretension to the throne. He was great-grandson of Margaret, elder daughter of Henry VII.; and, on the failure of the male line, his hereditary right remained unquestionable. If the religion of Mary Queen of Scots, and the other prejudices contracted against her, had formed any considerable obstacle to her succession, these objections, being entirely personal, had no place with regard to her son. Men also considered that, though the title derived from blood had been frequently violated since the Norman Conquest, such licenses had proceeded more from force or intrigue than from any deliberate maxims of government. The lineal heir had still in the end prevailed; and both his exclusion and restoration had been commonly attended with such convulsions as were sufficient to warn all prudent men not lightly to give way to such irregularities. If the will of Henry VIII., authorized by act of Parliament, had tacitly excluded the Scottish line, the tyranny and caprices of that monarch had been so signal that a settlement of this nature, unsupported by any just reason, had no authority with the people. Queen Elizabeth, too, with her dying breath, had recognized the undoubted title of her kinsman James; and the whole nation seemed to dispose themselves with joy and



pleasure for his reception. Though born and educated amid a foreign and hostile people, men hoped, from his character of moderation and wisdom, that he would embrace the maxims of an English monarch; and the prudent foresaw greater advantages resulting from a union with Scotland than disadvantages from submitting to a prince of that nation. The alacrity with which the English looked towards the successor had appeared so evident to Elizabeth that, concurring with other causes, it affected her with the deepest melancholy; and that wise princess, whose penetration and experience had given her the greatest insight into human affairs, had not yet sufficiently weighed the ingratitude of courtiers and levity of the people.

As victory abroad and tranquillity at home had attended this princess, she left the nation in such flourishing circumstances that her successor possessed every advantage, except that of comparison with her illustrious name, when he mounted the throne of England. The king's journey from Edinburgh to London immediately afforded to the inquisitive some circumstances of comparison which even the natural partiality in favor of their new sovereign could not interpret to his advantage. As he passed along, all ranks of men flocked about him from every quarter, allured by interest or curiosity. Great were the rejoicings, and loud and hearty the acclamations, which resounded from all sides; and every one could remember how the affability and popular manners of their queen displayed themselves amid such concourse and exultation of her subjects. But James, though sociable and familiar with his friends and courtiers, hated the bustle of a mixed multitude; and, though far from disliking flattery, yet was he still fonder of tranquillity and ease. He issued, therefore, a proclamation forbidding this resort of people, on pretence of the scarcity of provisions and other inconveniences which, he said, would necessarily attend it.<sup>1</sup>

He was not, however, insensible to the great flow of affection which appeared in his new subjects; and being himself of an affectionate temper, he seems to have been in haste to make them some return of kindness and good offices. To this motive, probably, we are to ascribe that profusion of titles which was observed in the beginning of his reign; when, in six weeks' time after his entrance into the kingdom, he was computed to have bestowed knighthood on no

<sup>1</sup> Kennet, p. 662.

less than two hundred and thirty-seven persons. If Elizabeth's frugality of honors as well as of money had formerly been repined at, it began now to be valued and esteemed; and every one was sensible that the king, by his lavish and premature conferring of favors, had failed of obliging the persons on whom he bestowed them. Titles of all kinds became so common that they were scarcely marks of distinction; and, being distributed without choice or deliberation to persons unknown to the prince, were regarded more as the proofs of facility and good-nature than of any determined friendship or esteem.

A pasquinade was affixed to St. Paul's, in which an art was promised to be taught very necessary to assist frail memories in retaining the names of the new nobility.<sup>2</sup>

We may presume that the English would have thrown less blame on the king's facility in bestowing favors, had these been confined entirely to their own nation, and had not been shared out in too unequal proportions to his old subjects. James, who, through his whole reign, was more guided by temper and inclination than by the rules of political prudence, had brought with him great numbers of his Scottish courtiers, whose impatience and importunity were apt, in many particulars, to impose on the easy nature of their master, and extort favors, of which, it is natural to imagine, his English subjects would loudly complain. The Duke of Lenox, the Earl of Marre, Lord Hume, Lord Kinloss, Sir George Hume, Secretary Elphinstone,<sup>3</sup> were immediately added to the English privy council. Sir George Hume, whom he created Earl of Dunbar, was his declared favorite as long as that nobleman lived, and was one of the wisest and most virtuous, though the least powerful, of all those whom the king ever honored with that distinction. Hay, some time after, was created Viscount Doncaster, then Earl of Carlisle, and got an immense fortune from the crown; all which he spent in a splendid and courtly manner. Ramsay obtained the title of Earl of Holderness; and many others, being raised on a sudden to the highest elevation, increased, by their insolence, that envy which naturally attended them as strangers and ancient enemies.

It must, however, be owned, in justice to James, that he left almost all the chief offices in the hands of Elizabeth's ministers, and trusted the conduct of political concerns, both foreign and domestic, to his English subjects. Among

<sup>2</sup> Wilson, in Kennet, p. 665.

<sup>3</sup> Wilson, in Kennet, p. 662.

these, Secretary Cecil, created successively Lord Effindon, Viscount Cranborne, and Earl of Salisbury, was always regarded as his prime minister and chief councillor. Though the capacity and penetration of this minister were sufficiently known, his favor with the king created surprise on the accession of that monarch. The secret correspondence into which he had entered with James, and which had sensibly contributed to the easy reception of that prince in England, laid the foundation of Cecil's credit; and while all his former associates (Sir Walter Raleigh, Lord Grey, Lord Cobham) were discountenanced, on account of their animosity against Essex as well as for other reasons, this minister was continued in employment, and treated with the greatest confidence and regard.

The capacity of James and his ministers in negotiation was immediately put to trial, on the appearance of ambassadors from almost all the princes and states of Europe, in order to congratulate him on his accession, and to form with him new treaties and alliances. Besides ministers from Venice, Denmark, the Palatinate, Henry Frederick of Nassau, assisted by Barnevelt, the pensionary of Holland, was ambassador from the States of the United Provinces. Aremberg was sent by Archduke Albert; and Taxis was expected in a little time from Spain. But he who most excited the attention of the public, both on account of his own merit and that of his master, was the Marquis of Rosni, afterwards Duke of Sully, prime minister and favorite of Henry IV. of France.

When the dominions of the house of Austria devolved on Philip II., all Europe was struck with terror, lest the power of a family which had been raised by fortune should now be carried to an immeasurable height by the wisdom and conduct of this monarch. But never were apprehensions found in the event to be more groundless. Slow without prudence, ambitious without enterprise, false without deceiving anybody, and refined without any true judgment—such was the character of Philip, and such the character which, during his lifetime and after his death, he impressed on the Spanish councils. Revolted or depopulated provinces, discontented or indolent inhabitants, were the spectacles which those dominions, lying in every climate of the globe, presented to Philip III., a weak prince, and to the Duke of Lerma, a minister weak and odious. But though military discipline, which still remained, was what

alone gave some appearance of life and vigor to that languishing body, yet so great was the terror produced by former power and ambition that the reduction of the house of Austria was the object of men's vows throughout all the states of Christendom. It was not perceived that the French empire, now united in domestic peace and governed by the most heroic and most amiable prince that adorns modern story, was become of itself a sufficient counterpoise to the Spanish greatness. Perhaps that prince himself did not perceive it when he proposed by his minister a league with James, in conjunction with Venice, the United Provinces, and the northern crowns, in order to attack the Austrian dominions on every side, and depress the exorbitant power of that ambitious family.<sup>4</sup> But the genius of the English monarch was not equal to such vast enterprises. The love of peace was his ruling passion; and it was his peculiar felicity that the conjunctures of the times rendered the same object which was agreeable to him in the highest degree advantageous to his people.

The French ambassador, therefore, was obliged to depart from these extensive views, and to concert with James the means of providing for the safety of the United Provinces; nor was this object altogether without its difficulties. The king, before his accession, had entertained scruples with regard to the revolt of the Low Countries; and being commonly open and sincere,<sup>5</sup> he had, on many occasions, gone so far as to give to the Dutch the appellation of rebels;<sup>6</sup> but having conversed more fully with ministers and courtiers, he found their attachment to that republic so strong, and their opinion of common interest so established, that he was obliged to sacrifice to politics his sense of justice—a quality which, even when erroneous, is respectable as well as rare in a monarch. He therefore agreed with Rosni to support secretly the States-general, in concert with the King of France, lest their weakness and despair should oblige them to submit to their old master. The articles of the treaty were few and simple. It was stipulated that the two kings should allow the Dutch to levy forces in their respective dominions; and should underhand remit to that republic the sum of one million four hundred thousand livres a year for the pay of these forces; that the whole sum should be advanced by the King of France; but that the third of it should be deducted from the debt due by

<sup>4</sup> Sully's Memoirs.

<sup>5</sup> La Boderie, vol. i. p. 120.

<sup>6</sup> Winwood, vol. ii. p. 55.



him to Queen Elizabeth. And if the Spaniard attacked either of the princes, they agreed to assist each other: Henry with a force of ten thousand men, James with that of six. This treaty, one of the wisest and most equitable concluded by James during the course of his reign, was more the work of the prince himself than any of his ministers.<sup>7</sup>

Amid the great tranquillity, both foreign and domestic, with which the nation was blessed, nothing could be more surprising than the discovery of a conspiracy to subvert the government and to fix on the throne Arabella Stuart, a near relation of the king's by the family of Lenox, and descended equally from Henry VII. Everything remains still mysterious in this conspiracy, and history can give us no clue to unravel it. Watson and Clarke, two Catholic priests, were accused of the plot; Lord Grey, a Puritan; Lord Cobham, a thoughtless man, of no fixed principle; and Sir Walter Raleigh, suspected to be one of that philosophical sect who were then extremely rare in England, and who have since received the appellation of *freethinkers*; together with these, Mr. Broke, brother to Lord Cobham, Sir Griffin Markham, Mr. Copeley, Sir Edward Parham. What cement could unite men of such discordant principles in so dangerous a combination, what end they proposed, or what means proportioned to an undertaking of this nature, has never yet been explained, and cannot easily be imagined. As Raleigh, Grey, and Cobham were commonly believed, after the queen's death, to have opposed proclaiming the king till conditions should be made with him, they were, upon that account, extremely obnoxious to the court and ministry; and people were apt, at first, to suspect that the plot was merely a contrivance of Secretary Cecil to get rid of his old confederates, now become his most inveterate enemies. But the confession as well as trial of the criminals put the matter beyond doubt.<sup>8</sup> And, though no one could find any marks of a concerted enterprise, it appeared that men of furious and ambitious spirits, meeting frequently together, and believing all the world discontented, like themselves, had entertained very criminal projects, and had even entered, some of them at least, into a correspondence with Aremberg, the Flemish ambassador, in order to give disturbance to the new settlement.

<sup>7</sup> Sully's Memoirs.

<sup>8</sup> State Trials, p. 180, 2d ed. Winwood, vol. ii. pp. 8, 11.

The two priests<sup>9</sup> and Broke<sup>10</sup> were executed; Cobham, Grey, and Markham were pardoned<sup>11</sup> after they had laid their heads upon the block.<sup>12</sup> Raleigh, too, was reprieved, not pardoned; and he remained in confinement many years afterwards.

It appears from Sully's *Memoirs* that Raleigh secretly offered his services to the French ambassador; and we may thence presume that, meeting with a repulse from that quarter, he had recourse, for the same unwarrantable purposes, to the Flemish minister. Such a conjecture we are now enabled to form; but it must be confessed that on his trial there appeared no proof of this transaction, nor, indeed, any circumstance which could justify his condemnation. He was accused by Cobham alone, in a sudden fit of passion, upon hearing that Raleigh, when examined, had pointed out some circumstances by which Cobham's guilt might be known and ascertained. This accusation Cobham afterwards retracted; and soon after he retracted his retractation. Yet upon the written evidence of this single witness—a man of no honor or understanding, and so contradictory in his testimony, not confronted with Raleigh, not supported by any concurring circumstance—was that great man, contrary to all law and equity, found guilty by the jury. His name was at that time extremely odious in England; and every man was pleased to give sentence against the capital enemy of Essex, the favorite of the people.

Sir Edward Coke, the famous lawyer, then attorney-general, managed the cause for the crown, and threw out on Raleigh such gross abuse as may be deemed a great reflection, not only on his own memory, but even, in some degree, on the manners of the age. Traitor, monster, viper, and spider of hell are terms which he employs against one of the most illustrious men of the kingdom, who was under trial for life and fortune, and who defended himself with temper, eloquence, and courage.<sup>13</sup>

[1604.] The next occupation of the king was entirely according to his heart's content. He was employed in dictating magisterially to an assembly of divines concerning points of faith and discipline, and in receiving the applauses of these holy men for his superior zeal and learning. The religious disputes between the Church and the Puritans had induced him to call a conference at Hampden Court,

<sup>9</sup> November 29.

<sup>12</sup> Winwood, vol. ii. p. 11.

<sup>10</sup> December 5.

<sup>13</sup> State Trials, 1st ed. pp. 176, 177, 182.

<sup>11</sup> December 9.

on pretence of finding expedients which might reconcile both parties.

Though the severities of Elizabeth towards the Catholics had much weakened that party, whose genius was opposite to the prevailing spirit of the nation, like severities had had so little influence on the Puritans, who were encouraged by that spirit, that no less than seven hundred and fifty clergymen of that party signed a petition to the king on his accession, and many more seemed willing to adhere to it.<sup>14</sup> They all hoped that James, having received his education in Scotland, and having sometimes professed an attachment to the Church established there, would at least abate the rigor of the laws enacted in support of the ceremonies and against Puritans, if he did not show more particular grace and encouragement to that sect. But the king's disposition had taken strongly a contrary bias. The more he knew the puritanical clergy, the less favor he bore to them. He had remarked in their Scottish brethren a violent turn towards republicanism and zealous attachment to civil liberty, principles nearly allied to that religious enthusiasm with which they were actuated. He had found that, being mostly persons of low birth and mean education, the same lofty pretensions which attended them in their familiar addresses to their Maker, of whom they believed themselves the peculiar favorites, induced them to use the utmost freedoms with their earthly sovereign. In both capacities, of monarch and of theologian, he had experienced the little complaisance which they were disposed to show him; while they controlled his commands, disputed his tenets, and, to his face, before the whole people, censured his conduct and behavior. If he had submitted to the indignity of courting their favor, he treasured up, on that account, the stronger resentment against them, and was determined to make them feel, in their turn, the weight of his authority. Though he had often met with resistance and faction and obstinacy in the Scottish nobility, he retained no ill-will to that order, or, rather, showed them favor and kindness in England beyond what reason and sound policy could well justify; but the ascendant which the Presbyterian clergy had assumed over him was what his monarchical pride could never thoroughly digest.<sup>15</sup>

<sup>14</sup> Fuller, bk. x. Collier, vol. ii. p. 672.

<sup>15</sup> James ventured to say, in his Basilicon Doron, published while he was in Scotland, "I protest before the great God—and, since I am here as upon my Testament, it is no place for me to lie in—that ye shall never find with any High

He dreaded likewise the popularity which attended this order of men in both kingdoms. As useless austerities and self-denial are imagined, in many religions, to render us acceptable to a benevolent Being, who created us solely for happiness, James remarked that the rustic severity of these clergymen, and of their whole sect, had given them, in the eyes of the multitude, the appearance of sanctity and virtue. Strongly inclined himself to mirth and wine and sports of all kinds, he apprehended their censure for his manner of life, free and disengaged; and being thus averse, from temper as well as policy, to the sect of Puritans, he was resolved, if possible, to prevent its further growth in England.

But it was the character of James's councils, throughout his whole reign, that they were more wise and equitable in their end than prudent and political in the means. Though justly sensible that no part of civil administration required greater care or a nicer judgment than the conduct of religious parties, he had not perceived that, in the same proportion as this practical knowledge of theology is requisite, the speculative refinements in it are mean and even dangerous in a monarch. By entering zealously into frivolous disputes James gave them an air of importance and dignity which they could not otherwise have acquired; and being himself enlisted in the quarrel, he could no longer have recourse to contempt and ridicule, the only proper method of appeasing it. The Church of England had not yet abandoned the rigid doctrines of grace and predestination; the Puritans had not yet separated themselves from the Church nor openly renounced episcopacy. Though the spirit of the parties was considerably different, the only appearing subjects of dispute were concerning the cross in baptism, the ring in marriage, the use of the surplice, and the bowing at the name of Jesus. These were the mighty questions which were solemnly agitated in the conference at Hampton Court between some bishops and dignified clergymen, on the one hand, and some leaders of the puritanical party, on the other; the king and his ministers being present.<sup>16</sup>

The Puritans were here so unreasonable as to complain of a partial and unfair management of the dispute; as if the search after truth were in any degree the object of such

land or Borderer Thieves greater ingratitude and more lies and vile perjuries than with these fanatic spirits; and suffer not the principal of them to brook your land."—*King James's Works*, p. 161.

<sup>16</sup> Fuller's *Ecclesiast. History*.



conferences, and a candid indifference, so rare even among private inquirers in *philosophical* questions, could ever be expected among princes and prelates in the *theological* controversy. The king, it must be confessed, from the beginning of the conference showed the strongest propensity to the established Church, and frequently inculcated a maxim, which, though it has some foundation, is to be received with great limitations, NO BISHOP, NO KING. The bishops, in their turn, were very liberal of their praises towards the royal disputant; and the Archbishop of Canterbury said that "undoubtedly his majesty spake by the special assistance of God's spirit."<sup>17</sup> A few alterations in the liturgy were agreed to, and both parties separated with mutual dissatisfaction.

It had frequently been the practice of the Puritans to form certain assemblies which they called *prophesyings*; where alternately, as moved by the spirit, they displayed their pious zeal in prayers and exhortations, and raised their own enthusiasm, as well as that of their audience, to the highest pitch, from that social contagion which has so mighty an influence on holy fervors, and from the mutual emulation which arose in those trials of religious eloquence. Such dangerous societies had been suppressed by Elizabeth; and the ministers in this conference moved the king for their revival. But James sharply replied, "If you aim at a *Scottish* presbytery, it agrees as well with monarchy as God and the devil. There Jack and Tom and Will and Dick shall meet and censure me and my council. Therefore I reiterate my former speech, *Le roi s'avisera*. Stay, I pray, for one seven years before you demand; and then, if you find me grow pursie and fat, I may perchance hearken unto you. For that government will keep me in breath and give me work enough."<sup>18</sup> Such were the political considerations which determined the king in his choice among religious parties.

The next assembly in which James displayed his learning and eloquence was one that showed more spirit of liberty than appeared among his bishops and theologians. The Parliament was now ready to assemble; being so long delayed on account of the plague, which had broken out in London, and raged to such a degree that above thirty thousand persons are computed to have died of it in a year

<sup>17</sup> Kennet, p. 665.

<sup>18</sup> Fuller's *Ecclesiast. History*.

though the city contained at that time little more than one hundred and fifty thousand inhabitants.

The speech which the king made on opening the Parliament fully displays his character, and proves him to have possessed more knowledge and better parts than prudence or any just sense of decorum and propriety.<sup>19</sup> Though few productions of the age surpass this performance either in style or matter, it wants that majestic brevity and reserve which become a king in his addresses to the great council of the nation. It contains, however, a remarkable stroke of candor, where he confesses his too great facility in yielding to the solicitations of suitors<sup>20</sup>—a fault which he promises to correct, but which adhered to him and distressed him during the whole course of his reign.

The first business in which the Commons were engaged was of the utmost importance to the preservation of their privileges; and neither temper nor resolution was wanting in their conduct of it.

In the former periods of the English government, the House of Commons was of so small weight in the balance of the constitution that little attention had been given, either by the crown, the people, or the House itself, to the choice and continuance of the members. It had been usual, after parliaments were prolonged beyond one session, for the chancellor to exert a discretionary authority of issuing new writs to supply the place of any members whom he judged incapable of attending, either on account of their employment, their sickness, or other impediment. This practice gave that minister, and consequently the prince, an unlimited power of modelling at pleasure the representatives of the nation; yet so little jealousy had it created that the Commons, of themselves, without any court influence or intrigue, and contrary to some former votes of their own, confirmed it in the twenty-third of Elizabeth.<sup>21</sup> At that time, though some members whose places had been supplied on account of sickness, having now recovered their health, appeared in the House and claimed their seat, such was the authority of the chancellor that, merely out of respect to him, his sentence was adhered to, and the new members were continued in their places. Here a most dangerous prerogative was conferred on the crown; but to show the

<sup>19</sup> King James's Works, pp. 484, 485, etc. Journal, 22d of March, 1603. Kennet, p. 668.

<sup>20</sup> King James's Works, pp. 495, 496.

<sup>21</sup> Journal, January 19, 1580.

genius of that age, or rather the channels in which power then ran, the crown put very little value on this authority; insomuch that two days afterwards, the chancellor, of himself, resigned it back to the Commons and gave them power to judge of a particular vacancy in their House. And when the question concerning the chancellor's new writs was again brought on the carpet towards the end of the session, the Commons were so little alarmed at the precedent that, though they readmitted some old members, whose seats had been vacated on account of slight indispositions, yet they confirmed the chancellor's sentence in instances where the distemper appeared to have been dangerous and incurable.<sup>22</sup> Nor did they proceed any further in vindication of their privileges than to vote "that during the sitting of Parliament there do not, at any time, any writ go out for choosing or returning any member without the warrant of the House." In Elizabeth's reign, we may remark, and the reigns preceding, sessions of Parliament were not usually the twelfth part so long as the vacations; and during the latter, the chancellor's power, if he pleased to exert it, was confirmed, at least left, by this vote as unlimited and unrestrained as ever.

In a subsequent Parliament, the absolute authority of the queen was exerted in a manner still more open; and began for the first time to give alarm to the Commons. New writs having been issued by the chancellor when there was no vacancy, and a controversy arising upon that incident, the queen sent a message to the House informing them that it were impertinent for them to deal in such matters. These questions, she said, belonged only to the chancellor; and she had appointed him to confer with the judges, in order to settle all disputes with regard to elections. The Commons had the courage, a few days after, to vote "that it was a most perilous precedent, where two knights of a county were duly elected, if any new writ should issue out for a second election without order of the House itself; that the discussing and adjudging of this and such-like differences belonged only to the House; and that there should be no message sent to the lord chancellor, not so much as to inquire what he had done in the matter, because it was conceived to be a matter derogatory to the power and privilege of the House."<sup>23</sup> This is the most considerable, and almost

<sup>22</sup> Journal, March 18, 1580. See, further, D'Ewes, p. 430.    <sup>23</sup> D'Ewes, p. 397.

only, instance of parliamentary liberty which occurs during the reign of that princess.

Outlaws, whether on account of debts or crimes, had been declared by the judges <sup>24</sup> incapable of enjoying a seat in the House, where they must themselves be lawgivers; but this opinion of the judges had been frequently overruled. I find, however, in the case of Vaughan,<sup>25</sup> who was questioned for an outlawry, that, having proved all his debts to have been contracted by suretyship, and to have been, most of them, honestly compounded, he was allowed, on account of these favorable circumstances, to keep his seat, which plainly supposes that otherwise it would have been vacated on account of the outlawry.<sup>26</sup>

When James summoned this Parliament, he issued a proclamation,<sup>27</sup> in which, among many general advices which, like a kind tutor, he bestowed on his people, he strictly enjoins them not to choose any outlaw for their representative. And he adds, "If any person take upon him the place of knight, citizen, or burgess, not being duly elected, according to the laws and statutes in that behalf provided, and according to the purport, effect, and true meaning of this our proclamation, then every person so offending to be fined or imprisoned for the same." A proclamation here was plainly put on the same footing with a law, and that in so delicate a point as the right of elections: most alarming circumstances, had there not been reason to believe that this measure, being entered into so early in the king's reign, proceeded more from precipitation and mistake than from any serious design of invading the privileges of Parliament.<sup>28</sup>

Sir Francis Goodwin was chosen member for the county of Bucks, and his return, as usual, was made into chancery.

<sup>24</sup> 39 H. 6.

<sup>25</sup> Journal, Feb. 8, 1580.

<sup>26</sup> In a subsequent Parliament, that of the thirty-fifth of the queen, the Commons, after great debate, expressly voted that a person outlawed might be elected.—D'Ewes, p. 518. But as the matter had been much contested, the king might think the vote of the House no law, and might esteem his own decision of more weight than theirs. We may also suppose that he was not acquainted with this vote. Queen Elizabeth, in her speech to her last Parliament, complained of their admitting outlaws, and represents that conduct of the House as a great abuse.

<sup>27</sup> Jan. 11, 1604 Rymer, vol. xvi. p. 561.

<sup>28</sup> The Duke of Sully tells us that it was a maxim of James that no prince, in the first year of his reign, should begin any considerable undertaking—a maxim reasonable in itself, and very suitable to his cautious, not to say timid, character. The facility with which he departed from this pretension is another proof that his meaning was innocent. But had the privileges of Parliament been at that time exactly ascertained, or royal power fully limited, could such an imagination ever have been entertained by him as to think that his proclamations could regulate parliamentary elections?



The chancellor, pronouncing him an outlaw, vacated his seat and issued writs for a new election.<sup>29</sup> Sir John Fortescue was chosen in his place by the county. But the first act of the House was to reverse the chancellor's sentence and restore Sir Francis to his seat. At the king's suggestion, the Lords desired a conference on the subject, but were absolutely refused by the Commons, as the question entirely regarded their own privileges.<sup>30</sup> The Commons, however, agreed to make a remonstrance to the king by the mouth of their speaker, in which they maintained that though the returns were by form made into chancery, yet the sole right of judging with regard to elections belonged to the House itself, not to the chancellor.<sup>31</sup> James was not satisfied, and ordered a conference between the House and the judges, whose opinion in this case was opposite to that of the Commons. This conference, he said, he commanded as an *absolute* king<sup>32</sup>—an epithet, we are apt to imagine, not very grateful to English ears, but one to which they had already been somewhat accustomed from the mouth of Elizabeth.<sup>33</sup> He added "that all their privileges were derived from his grant, and hoped they would not turn them against him"<sup>34</sup>—a sentiment which, from her conduct, it is certain that princess had also entertained, and which was the reigning principle of her courtiers and ministers, and the spring of all her administration.

The Commons were in some perplexity. Their eyes were now opened, and they saw the consequences of that power which had been assumed by the chancellor, and to which their predecessors had, in some instances, blindly submitted. "By this course," said a member, "the free election of the counties is taken away, and none shall be chosen but such as shall please the king and council. Let us, therefore, with fortitude, understanding, and sincerity, seek to maintain our privilege. This cannot be construed any contempt in us, but merely a maintenance of our common rights, which our ancestors have left us, and which it is just and fit for us to transmit to our posterity."<sup>35</sup> Another said,<sup>36</sup> "This may be called a *quo warranto* to seize all our liberties." "A chancellor," added a third, "by this course may call a Parliament consisting of what persons he pleases.

<sup>29</sup> Winwood, vol. ii. pp. 18, 19.

<sup>30</sup> Journal, 26th of March, 1604.

<sup>32</sup> See note [CCC] at the end of the volume.

<sup>34</sup> Journal, 29th of March, 5th of April, 1604.

<sup>35</sup> Journal, 30th of March, 1604.

<sup>31</sup> Journal, 3d of April, 1604.

<sup>33</sup> Camden, in Kennet, p. 375.

<sup>36</sup> Ibid.

Any suggestion, by any person, may be the cause of sending a new writ. It is come to this plain question, whether the chancery or Parliament ought to have authority.”<sup>37</sup>

Notwithstanding this watchful spirit of liberty which now appeared in the Commons, their deference for majesty was so great that they appointed a committee to confer with the judges before the king and council. There the question of law began to appear in James’s eye a little more doubtful than he had hitherto imagined it; and in order to extricate himself with some honor, he proposed that both Goodwin and Fortescue should be set aside, and a writ be issued, by warrant of the House, for a new election. Goodwin gave his consent, and the Commons embraced the expedient, but in such a manner that while they showed their regard for the king, they secured for the future the free possession of their seats, and the right which they claimed of judging solely in their own elections and returns.<sup>38</sup>

A power like this, so essential to the exercise of all their other powers, themselves so essential to public liberty, cannot fairly be deemed an encroachment in the Commons, but must be regarded as an inherent privilege, happily rescued from that ambiguity which the negligence of some former parliaments had thrown upon it.

At the same time the Commons, in the case of Sir Thomas Shirley, established their power of punishing, as well the persons at whose suit any member is arrested as the officers who either arrest or detain him. Their asserting of this privilege admits of the same reflection.<sup>39</sup>

About this period, the minds of men throughout Europe, especially in England, seem to have undergone a general but insensible revolution. Though letters had been revived in the preceding age, they were chiefly cultivated by those of sedentary professions; nor had they till now begun to spread themselves, in any degree, among men of the world. Arts, both mechanical and liberal, were every day receiving great improvements; navigation had extended itself over the whole globe; travelling was secure and agreeable; and the general system of politics in Europe was become more enlarged and comprehensive.

In consequence of this universal fermentation, the ideas of men enlarged themselves on all sides; and the several constituent parts of the Gothic governments, which seem to

<sup>37</sup> Journal, 30th of March, 1604. <sup>38</sup> See note [DDD] at the end of the volume.

<sup>39</sup> Journal, 6th and 7th of May, 1604.

have lain long inactive, began everywhere to operate and encroach on each other. On the Continent, where the necessity of discipline had begotten standing armies, the princes commonly established an unlimited authority, and overpowered, by force or intrigue, the liberties of the people. In England the love of freedom, which, unless checked, flourishes extremely in all liberal natures, acquired new force, and was regulated by more enlarged views, suitable to that cultivated understanding which became every day more common among men of birth and education. A familiar acquaintance with the precious remains of antiquity excited in every generous breast a passion for a limited constitution, and begat an emulation of those manly virtues which the Greek and Roman authors, by such animating examples as well as pathetic expressions, recommend to us. The severe though popular government of Elizabeth had confined this rising spirit within very narrow bounds; but when a new and a foreign family succeeded to the throne, and a prince less dreaded and less beloved, symptoms immediately appeared of a more free and independent genius in the nation.

Happily, this prince possessed neither sufficient capacity to perceive the alteration, nor sufficient art and vigor to check it in its early advances. Jealous of regal because conscious of little personal authority, he had established within his own mind a speculative system of absolute government, which few of his subjects, he believed, and none but traitors and rebels, would make any scruple to admit. On whichever side he cast his eye, everything concurred to encourage his prejudices. When he compared himself with the other hereditary sovereigns of Europe, he imagined that, as he bore the same rank, he was entitled to equal prerogatives, not considering the innovations lately introduced by them, and the military force by which their authority was supported. In England that power, almost unlimited, which had been exercised for above a century, especially during the late reign, he ascribed solely to royal birth and title; not to the prudence and spirit of the monarchs, nor to the conjunctures of the time. Even the opposition which he had struggled with in Scotland encouraged him still further in his favorite notions, while he there saw that the same resistance which opposed regal authority violated all law and order, and made way either for the ravages of a barbarous nobility or for the more intolerable insolence of seditious preachers. In his own person, therefore, he thought

all legal power to be centred by an hereditary and a divine right; and this opinion might have proved dangerous, if not fatal, to liberty, had not the firmness of the persuasion and its seeming evidence induced him to trust solely to his right, without making the smallest provision, either of force or politics, in order to support it.

Such were the opposite dispositions of Parliament and prince at the commencement of the Scottish line—dispositions just beginning to exist and to appear in the Parliament,<sup>40</sup> but thoroughly established and openly avowed on the part of the prince.

The spirit and judgment of the House of Commons appeared not only in defence of their own privileges, but also in their endeavor, though at this time in vain, to free trade from those shackles which the high-exerted prerogative, and even in this respect the ill-judged tyranny, of Elizabeth had imposed upon it.

James had already, of his own accord, called in and annulled all the numerous patents for monopolies which had been granted by his predecessor, and which extremely fettered every species of domestic industry; but the exclusive companies still remained—another species of monopoly, by which almost all foreign trade, except that to France, was brought into the hands of a few rapacious engrossers, and all prospect of future improvement in commerce was forever sacrificed to a little temporary advantage of the sovereign. These companies, though arbitrarily elected, had carried their privileges so far that almost all the commerce of England was centred in London; and it appears that the customs of that port amounted to one hundred and ten thousand pounds a year, while those of all the kingdom besides yielded only seventeen thousand.<sup>41</sup> Nay, the whole trade of London was confined to about two hundred citizens,<sup>42</sup> who were easily enabled, by combining among themselves, to fix whatever price they pleased both to the exports and imports of the nation. The committee appointed to consider this enormous grievance, one of the greatest which we read of in English story, insist on it as a fact well known and avowed, however contrary to present received opinion, that shipping and seamen had sensibly decayed during all the preceding reign; <sup>43</sup> and, though nothing be more common

<sup>40</sup> See note [EEE] at the end of the volume.

<sup>41</sup> Journal, May 21, 1604.

<sup>42</sup> Ibid.

<sup>43</sup> A remonstrance from the Trinity House in 1602 says that in a little above twelve years after 1588 the shipping and number of seamen in England decayed



than complaints of the decay of trade, even during the most flourishing periods, yet is this a consequence which might naturally result from such arbitrary establishments at a time when the commerce of all the other nations of Europe, except that of Scotland, enjoyed full liberty and indulgence.

While the Commons were thus attempting to give liberty to the trading part of the nation, they also endeavored to free the landed property from the burden of wardships,<sup>44</sup> and to remove those remains of the feudal tenures under which the nation still labored. A just regard was shown to the crown in the conduct of this affair; nor was the remedy sought for considered as a matter of right, but merely of grace and favor. The profit which the king reaped, both from wards and from respite of homage, was estimated, and it was intended to compound for these prerogatives by a secure and independent revenue. But after some debates in the House and some conferences with the Lords, the affair was found to contain more difficulties than could easily, at that time, be surmounted; and it was not then brought to any conclusion.

The same fate attended an attempt of a like nature to free the nation from the burden of purveyance. This prerogative had been much abused by the purveyors,<sup>45</sup> and the Commons showed some intention to offer the king fifty thousand pounds a year for the abolition of it.

Another affair of the utmost consequence was brought before the Parliament, where the Commons showed a greater spirit of independence than any true judgment of national interest. The union of the two kingdoms was zealously and even impatiently urged by the king.<sup>46</sup> He justly regarded it as the peculiar felicity of his reign that he had terminated the bloody animosities of these hostile nations, and had reduced the whole island under one government, enjoying tranquillity within itself and security from all foreign invasions. He hoped that while his subjects of both kingdoms reflected on past disasters, besides regarding his person as infinitely precious, they would entertain the strongest desire of securing themselves against the return of like calamities by a thorough union of laws, parliaments, and privileges. He considered not that this very reflection operated as yet in a contrary manner on men's prejudices, and kept alive

about a third. Anglesey's *Happy Future State of England*, p. 128, from Sir Julius Caesar's Collections. See *Journal*, May 21, 1604.

<sup>44</sup> *Journal*, June 1, 1604.

<sup>45</sup> *Journal*, April 30, 1604.

<sup>46</sup> *Journal*, April 21, May 1, 1604. *Parliamentary History*, vol. v. p. 91.

that mutual hatred between the nations which had been carried to the greatest extremities, and required time to allay it. The more urgent the king appeared in promoting so useful a measure, the more backward was the English Parliament in concurring with him; while they ascribed his excessive zeal to that partiality in favor of his ancient subjects of which they thought that on other occasions they had reason to complain. Their complaisance for the king, therefore, carried them no further than to appoint forty-four English to meet with thirty-one Scottish commissioners, in order to deliberate concerning the terms of a union, but without any power of making advances towards the establishment of it.<sup>47</sup>

The same spirit of independence, and perhaps not better judgment, appeared in the House of Commons when the question of supply was brought before them by some members attached to the court. In vain was it urged that though the king received a supply which had been voted to Elizabeth, and which had not been collected before her death, yet he found it burdened with a debt contracted by the queen equal to the full amount of it; that peace was not yet thoroughly concluded with Spain, and that Ireland was still expensive to him; that on his journey from Scotland, amid such a concourse of people, and on that of the queen and royal family, he had expended considerable sums; and that as the courtiers had looked for greater liberalities from the prince on his accession, and had imposed on his generous nature, so the prince, in his turn, would expect, at the beginning, some mark of duty and attachment from his people, and some consideration of his necessities. No impression was made on the House of Commons by these topics, and the majority appeared fully determined to reject all supply. The burden of government at that time lay surprisingly light upon the people, and that very reason which to us at this distance may seem a motive of generosity was the real cause why the Parliament was on all occasions so remarkably frugal and reserved. They were not as yet accustomed to open their purses in so liberal a manner as their successors, in order to supply the wants of their sovereign; and the smallest demand, however requisite, appeared in their eyes unreasonable and exorbitant. The Commons seemed also to have been desirous of reducing the crown to still further necessities by their refusing a bill, sent down to

<sup>47</sup> Journal, June 7, 1604. Kennet, p. 673.

them by the Lords, for entailing the crown lands forever on the king's heirs and successors.<sup>48</sup> The dissipation made by Elizabeth had probably taught James the necessity of this law, and shown them the advantage of refusing it.

In order to cover a disappointment with regard to supply which might bear a bad construction both at home and abroad, James sent a message to the House,<sup>49</sup> in which he told them that he desired no supply, and he was very forward in refusing what was never offered him. Soon after he prorogued the Parliament, not without discovering in his speech visible marks of dissatisfaction. Even so early in his reign he saw reason to make public complaints of the restless and encroaching spirit of the puritanical party, and of the malevolence with which they endeavored to inspire the Commons. Nor were his complaints without foundation, or the Puritans without interest, since the Commons, now finding themselves free from the arbitrary government of Elizabeth, made application for a conference with the Lords, and presented a petition to the king, the purport of both which was to procure in favor of the Puritans a relaxation of the ecclesiastical laws.<sup>50</sup> The use of the surplice and of the cross in baptism is there chiefly complained of, but the remedy seems to have been expected solely from the king's dispensing power.<sup>51</sup> In the papers which contain this application and petition we may also see proofs of the violent animosity of the Commons against the Catholics, together with the intolerating spirit of that assembly.<sup>52</sup>

This summer the peace with Spain was finally concluded, and was signed by the Spanish ministers at London.<sup>53</sup> In the conferences previous to this treaty the nations were found to have so few claims on each other that, except on account of the support given by England to the Low Country provinces, the war might appear to have been continued more on account of personal animosity between Philip and Elizabeth than any contrariety of political interests between their subjects. Some articles in the treaty which seemed prejudicial to the Dutch commowalth were never executed by the king; and, as the Spaniards made no complaints on that head, it appeared that by secret agreement the king had expressly reserved the power of sending

<sup>48</sup> Parliamentary History, vol. v. p. 108.

<sup>49</sup> Journal, June 26, 1604.

<sup>50</sup> La Boderie, the French ambassador, says that the House of Commons was composed mostly of Puritans, vol. i. p. 81.

<sup>51</sup> Parliamentary History, vol. v. pp. 98, 99, 100.

<sup>52</sup> See note [FFF] at the end of the volume.

<sup>53</sup> Rymer, vol. xvi. p. 585, etc.

assistance to the Hollanders.<sup>54</sup> The Constable of Castile came into England to ratify the peace, and on the part of England the Earl of Hertford was sent into the Low Countries for the same purpose, and the Earl of Nottingham, high admiral, into Spain. The train of the latter was numerous and splendid; and the Spaniards, it is said, were extremely surprised when they beheld the blooming countenances and graceful appearance of the English, whom their bigotry, inflamed by the priests, had represented as so many monsters and infernal demons.

Though England, by means of her naval force, was perfectly secure during the latter years of the Spanish war, James showed an impatience to put an end to hostilities; and soon after his accession, before any terms of peace were concerted, or even proposed by Spain, he recalled all the letters of mark<sup>55</sup> which had been granted by Queen Elizabeth. Archduke Albert had made some advances of a like nature,<sup>56</sup> which invited the king to take this friendly step. But what is remarkable in James's proclamation for that purpose he plainly supposes that, as he had himself, while King of Scotland, always lived in amity with Spain, peace was attached to his person, and that merely by his accession to the crown of England, without any articles of treaty or agreement, he had ended the war between the kingdoms.<sup>57</sup> The ignorance of the law of nations may appear surprising in a prince who was thirty-six years of age, and who had reigned from his infancy, did we not consider that a king of Scotland, who lives in close friendship with England, has few transactions to manage with foreign princes, and has little opportunity of acquiring experience. Unhappily for James, his timidity, his prejudices, his indolence, his love of amusement, particularly of hunting, to which he was much addicted, ever prevented him from making any progress in the knowledge or practice of foreign politics, and in a little time diminished that regard which all the neighboring nations had paid to England during the reign of his predecessors.<sup>58</sup>

<sup>54</sup> Winwood, vol. ii. pp. 27, 330, *et alibi*. In this respect James's peace was more honorable than that which Henry IV. himself made with Spain. This latter prince stipulated not to assist the Dutch, and the supplies which he secretly sent them were in direct contravention to the treaty.

<sup>55</sup> June 23, 1603.

<sup>56</sup> Grotii Annal. lib. 12.

<sup>57</sup> See proclamations during the first seven years of King James. Winwood, vol. ii. p. 65.

<sup>58</sup> Mémoires de la Boderie, vol. i. pp. 64, 181, 195, 217, 302; vol. ii. pp. 244, 278.



## CHAPTER XLVI.

GUNPOWDER CONSPIRACY.—A PARLIAMENT.—TRUCE BETWEEN SPAIN AND THE UNITED PROVINCES.—A PARLIAMENT.—DEATH OF THE FRENCH KING.—ARMINIANISM.—STATE OF IRELAND.

[1604.] WE are now to relate an event, one of the most memorable that history has conveyed to posterity, and containing at once a singular proof both of the strength and weakness of the human mind, its widest departure from morals, and most steady attachment to religious prejudices. 'Tis the *Gunpowder treason* of which I speak: a fact as certain as it appears incredible.

The Roman Catholics had expected great favor and indulgence on the accession of James, both as he was descended from Mary, whose life they believed to have been sacrificed to their cause, and as he himself, in his early youth, was imagined to have shown some partiality towards them, which nothing, they thought, but interest and necessity had since restrained. It is pretended that he had even entered into positive engagements to tolerate their religion, as soon as he should mount the throne of England; whether their credulity had interpreted in this sense some obliging expressions of the king's, or that he had employed such an artifice in order to render them favorable to his title.<sup>1</sup> Very soon they discovered their mistake; and were at once surprised and enraged to find James, on all occasions, express his intention of strictly executing the laws enacted against them, and of persevering in all the rigorous measures of Elizabeth. Catesby, a gentleman of good parts and of an ancient family, first thought of a most extraordinary method of revenge; and he opened his intention to Piercy, a descendant of the illustrious house of Northumberland. In one of their conversations with regard to the distressed condition of the Catholics, Piercy, having broken into a sally of passion and mentioned assassinating the king, Catesby took the opportunity of re-

State Trials, vol. ii. pp. 231, 232, 233, Winwood, vol. ii. p. 49.

vealing to him a nobler and more extensive plan of treason, which not only included a sure execution of vengeance, but afforded some hopes of restoring the Catholic religion in England. "In vain," said he, "would you put an end to the king's life : he has children, who would succeed both to his crown and to his maxims of government. In vain would you extinguish the whole royal family ; the nobility, the gentry, and Parliament are all infected with the same heresy, and could raise to the throne another prince and another family, who, besides their hatred to our religion, would be animated with revenge for the tragical death of their predecessors. To serve any good purpose, we must destroy at one blow the king, the royal family, the Lords, the Commons, and bury all our enemies in one common ruin. Happily, they are all assembled on the first meeting of the Parliament, and afford us the opportunity of glorious and useful vengeance. Great preparations will not be requisite. A few of us, combining, may run a mine below the hall in which they meet, and, choosing the very moment when the king harangues both Houses, consign over to destruction these determined foes to all piety and religion. Meanwhile, we ourselves, standing aloof, safe and unsuspected, shall triumph in being the instruments of divine wrath, and shall behold with pleasure those sacrilegious walls, in which were passed the edicts for proscribing our Church and butchering her children, tossed into a thousand fragments ; while their impious inhabitants, meditating, perhaps, still new persecutions against us, pass from flames above to flames below, there forever to endure the torments due to their offences." <sup>2</sup>

Piercy was charmed with this project of Catesby ; and they agreed to communicate the matter to a few more, and among the rest to Thomas Winter, whom they sent over to Flanders in quest of Fawkes, an officer in the Spanish service, with whose zeal and courage they were all thoroughly acquainted. When they enlisted any new conspirator, in order to bind him to secrecy they always, together with an oath, employed the Communion, the most sacred rite of their religion.<sup>3</sup> And it is remarkable that no one of these pious devotees ever entertained the least compunction with regard to the cruel massacre which they projected of whatever was great and eminent in the nation. Some of them only were startled by the reflection that of necessity many Catholics must be present as spectators or attendants on the

<sup>2</sup> History of the Gunpowder Treason.      <sup>3</sup> State Trials, vol. i. p. 190, 198, 210.

king, or as having seats in the House of Peers; but Tesmond, a Jesuit, and Garnet, superior of that order in England, removed these scruples, and showed them how the interests of religion required that the innocent should here be sacrificed with the guilty.

All this passed in the spring and summer of the year 1604, when the conspirators also hired a house in Piercy's name, adjoining to that in which the Parliament was to assemble. Towards the end of that year they began their operations. That they might be less interrupted, and give less suspicion to the neighborhood, they carried in store of provisions with them, and never desisted from their labor. Obstinate in their purpose, and confirmed by passion, by principle, and by mutual exhortation, they little feared death, in comparison of a disappointment; and having provided arms, together with the instruments of their labor, they resolved there to perish in case of a discovery. Their perseverance advanced the work, and they soon pierced the wall, though three yards in thickness; but on approaching the other side, they were somewhat startled at hearing a noise which they knew not how to account for. Upon inquiry, they found that it came from the vault below the House of Lords; that a magazine of coals had been kept there; and that, as the coals were selling off, the vault would be let to the highest bidder. The opportunity was immediately seized; the place hired by Piercy; thirty-six barrels of powder lodged in it; the whole covered up with fagots and billets; the doors of the cellar boldly flung open; and everybody admitted, as if it contained nothing dangerous.

Confident of success, they now began to look forward, and to plan the remaining part of their project. The king, the queen, Prince Henry, were all expected to be present at the opening of Parliament. The duke, by reason of his tender age, would be absent; and it was resolved that Piercy should seize him or assassinate him. The Princess Elizabeth, a child likewise, was kept at Lord Harrington's house in Warwickshire; and Sir Everard Digby, Rookwood, Grant, being led into the conspiracy, engaged to assemble their friends, on pretence of a hunting-match, and, seizing that princess, immediately to proclaim her queen. So transported were they with rage against their adversaries, and so charmed with the prospect of revenge, that they forgot all care of their own safety; and, trusting to the general confusion which must result from so unexpected a blow, they

foresaw not that the fury of the people, now unrestrained by any authority, must have turned against them, and would probably have satiated itself by a universal massacre of the Catholics.

[1605.] The day, so long wished for, now approached on which the Parliament was appointed to assemble. The dreadful secret, though communicated to above twenty persons, had been religiously kept, during the space of near a year and a half. No remorse, no pity, no fear of punishment, no hope of reward, had as yet induced any one conspirator either to abandon the enterprise or make a discovery of it. The holy fury had extinguished in their breast every other motive; and it was an indiscretion at last, proceeding chiefly from these very bigoted prejudices and partialities, which saved the nation.

Ten days before the meeting of Parliament, Lord Montague, a Catholic, son to Lord Morley, received the following letter, which had been delivered to his servant by an unknown hand: "My Lord,—Out of the love I bear to some of your friends, I have a care of your preservation. Therefore I would advise you, as you tender your life, to devise some excuse to shift off your attendance at this Parliament. For God and man have concurred to punish the wickedness of this time. And think not slightly of this advertisement; but retire yourself into your country, where you may expect the event in safety. For though there be no appearance of any stir, yet, I say, they will receive a terrible blow this Parliament, and yet they shall not see who hurts them. This counsel is not to be contemned, because it may do you good, and can do you no harm: for the danger is past as soon as you have burned the letter. And I hope God will give you the grace to make good use of it, unto whose holy protection I commend you."<sup>4</sup>

Monteagle knew not what to make of this letter; and though inclined to think it a foolish attempt to frighten or ridicule him, he judged it safest to carry it to Lord Salisbury, secretary of state. Though Salisbury too was inclined to pay little attention to it, he thought proper to lay it before the king, who came to town a few days after. To the king it appeared not so slight a matter; and from the serious, earnest style of the letter, he conjectured that it implied something dangerous and important. *A terrible blow, and yet the authors concealed; a danger so sudden, and yet*

<sup>4</sup> King James's Works, p. 227.



so *great*: these circumstances seemed all to denote some contrivance by gunpowder; and it was thought advisable to inspect all the vaults below the House of Parliament. This care belonged to the Earl of Suffolk, lord chamberlain, who purposely delayed the search till the day before the meeting of Parliament. He remarked those great piles of wood and fagots which lay in the vault under the Upper House, and he cast his eye upon Fawkes, who stood in a dark corner, and passed himself for Piercy's servant. That daring and determined courage which so much distinguished this conspirator, even among those heroes in villany, was fully painted in his countenance, and was not passed unnoticed by the chamberlain.<sup>5</sup> Such a quantity also of fuel, for the use of one who lived so little in town as Piercy, appeared a little extraordinary; <sup>6</sup> and upon comparing all circumstances, it was resolved that a more thorough inspection should be made. About midnight, Sir Thomas Knevet, a justice of peace, was sent with proper attendants; and before the door of the vault finding Fawkes, who had just finished all his preparations, he immediately seized him, and turning over the fagots, discovered the powder. The matches, and everything proper for setting fire to the train, were taken in Fawkes's pocket, who, finding his guilt now apparent, and seeing no refuge but in boldness and despair, expressed the utmost regret that he had lost the opportunity of firing the powder at once, and of sweetening his own death by that of his enemies.<sup>7</sup> Before the council he displayed the same intrepid firmness, mixed even with scorn and disdain; refusing to discover his accomplices, and showing no concern but for the failure of the enterprise.<sup>8</sup> This obstinacy lasted two or three days; but being confined to the Tower, left to reflect on his guilt and danger, and the rack being just shown to him, his courage, fatigued with so long an effort, and unsupported by hope or society, at last failed him, and he made a full discovery of all the conspirators.<sup>9</sup>

Catesby, Piercy, and the other criminals who were in London, though they had heard of the alarm taken at the letter sent to Monteagle, though they had heard of the chamberlain's search, yet were resolved to persist to the utmost and never abandon their hopes of success.<sup>10</sup> But at last, hearing that Fawkes was arrested, they hurried down to Warwickshire, where Sir Everard Digby, thinking himself as-

<sup>5</sup> King James's Works, p. 259.

<sup>6</sup> King James's Works, p. 229.

<sup>7</sup> King James's Works, p. 230.

<sup>8</sup> Winwood, vol. ii. p. 173.

<sup>9</sup> King James's Works, p. 231.

<sup>10</sup> See note [GGG] at the end of the volume.

sured that success had attended his confederates, was already in arms in order to seize the Princess Elizabeth. She had escaped into Coventry, and they were obliged to put themselves on their defence against the country, who were raised from all quarters, and armed, by the sheriff. The conspirators, with all their attendants, never exceeded the number of eighty persons; and being surrounded on every side, could no longer entertain hopes either of prevailing or escaping. Having therefore confessed themselves and received absolution, they boldly prepared for death, and resolved to sell their lives as dear as possible to the assailants. But even this miserable consolation was denied them. Some of their powder took fire and disabled them for defence.<sup>11</sup> The people rushed in upon them. Piercy and Catesby were killed by one shot. Digby, Rookwood, Winter, and others, being taken prisoners, were tried, confessed their guilt, and died, as well as Garnet, by the hands of the executioner. Notwithstanding this horrid crime, the bigoted Catholics were so devoted to Garnet that they fancied miracles to be wrought by his blood,<sup>12</sup> and in Spain he was regarded as a martyr.<sup>13</sup>

Neither had the desperate fortune of the conspirators urged them to this enterprise, nor had the former profligacy of their lives prepared them for so great a crime. Before that audacious attempt, their conduct seems, in general, to be liable to no reproach. Catesby's character had entitled him to such regard, that Rookwood and Digby were seduced by their implicit trust in his judgment; and they declared that from the motive alone of friendship to him, they were ready, on any occasion, to have sacrificed their lives.<sup>14</sup> Digby himself was as highly esteemed and beloved as any man in England; and he had been particularly honored with the good opinion of Queen Elizabeth.<sup>15</sup> It was bigoted zeal alone, the most absurd of prejudices masked with reason, the most criminal of passions covered with the appearance of duty, which seduced them into measures that were fatal to themselves, and had so nearly proved fatal to their country.<sup>16</sup>

<sup>11</sup> State Trials, vol. i. p. 199. Discourse of the Manner, etc., pp. 69, 70.

<sup>12</sup> Winwood, vol. ii. p. 300.

<sup>13</sup> Ibid.

<sup>14</sup> State Trials, vol. i. p. 201.

<sup>15</sup> Athen. Ox. vol. ii. fol. 254.

<sup>16</sup> Digby, after his condemnation, said in a letter to his wife, "Now for my intention, let me tell you that if I had thought there had been the least sin in the plot, I would not have been of it for all the world; and no other cause drew me to hazard my fortune and life but zeal to God's religion." He expresses his surprise to hear that any Catholics had condemned it.—*Digby's Papers*, published by Secretary Coventry.

The Lords Mordaunt and Stourton, two Catholics, were fined—the former, ten thousand pounds; the latter, four thousand—by the Star-chamber because their absence from Parliament had begotten a suspicion of their being acquainted with the conspiracy. The Earl of Northumberland was fined thirty thousand pounds, and detained several years prisoner in the Tower, because, not to mention other grounds of suspicion, he had admitted Piercy into the number of gentlemen pensioners without his taking the requisite oaths.<sup>17</sup>

The king, in his speech to the Parliament, observed that though religion had engaged the conspirators in so criminal an attempt, yet ought we not to involve all the Roman Catholics in the same guilt, or suppose them equally disposed to commit such enormous barbarities. Many holy men, he said, and our ancestors among the rest, had been seduced to concur with that Church in her scholastic doctrines who yet had never admitted her seditious principles concerning the pope's power of dethroning kings or sanctifying assassination. The wrath of Heaven is denounced against crimes, but innocent error may obtain its favor; and nothing can be more hateful than the uncharitableness of the Puritans, who condemn alike to eternal torments even the most inoffensive partisans of popery. For his part, he added, that conspiracy, however atrocious, should never alter, in the least, his plan of government; while with one hand he punished guilt, with the other he would still support and protect innocence.<sup>18</sup> After this speech, he prorogued the Parliament till the 22d of January.<sup>19</sup>

[1606.] The moderation, and, I may say, magnanimity, of the king, immediately after so narrow an escape from a most detestable conspiracy, was nowise agreeable to his subjects. Their animosity against popery, even before this provocation, had risen to a great pitch; and it had perhaps been more prudent in James, by a little dissimulation, to have conformed himself to it. His theological learning, confirmed by disputation, had happily fixed his judgment in the Protestant faith; yet was his heart a little biassed by the allurements of Rome, and he had been well pleased if the making of some advances could have effected a union

<sup>17</sup> Camden, in Kennet, p. 692.

<sup>18</sup> King James's Works, pp. 503, 504.

<sup>19</sup> The Parliament, this session, passed an act obliging every one to take the oath of allegiance—a very moderate test, since it decided no controverted points between the two religions, and only engaged the persons who took it to abjure the pope's power of dethroning kings. See King James's Works, p. 250.

with that ancient mother Church. He strove to abate the acrimony of his own subjects against the religion of their fathers: he became himself the object of their diffidence and aversion. Whatever measures he embraced, in Scotland to introduce prelacy, in England to enforce the authority of the Established Church and support its rites and ceremonies, were interpreted as so many steps towards popery, and were represented by the Puritans as symptoms of idolatry and superstition. Ignorant of the consequences, or unwilling to sacrifice to politics his inclination, which he called his conscience, he persevered in the same measures, and gave trust and preferment, almost indifferently, to his Catholic and Protestant subjects. And, finding his person as well as his title less obnoxious to the Church of Rome than those of Elizabeth, he gradually abated the rigor of those laws which had been enacted against that Church, and which were so acceptable to his bigoted subjects. But the effects of these dispositions on both sides became not very sensible till towards the conclusion of his reign.

At this time James seems to have possessed the affections even of his English subjects, and, in a tolerable degree, their esteem and regard. Hitherto their complaints were chiefly levelled against his too great constancy in his early friendships—a quality which, had it been attended with more economy, the wise would have excused and the candid would even, perhaps, have applauded. His parts, which were not despicable, and his learning, which was great, being highly extolled by his courtiers and gownmen, and not yet tried in the management of any delicate affairs, for which he was unfit, raised a high idea of him in the world; nor was it always through flattery or insincerity that he received the title of the second Solomon. A report, which was suddenly spread about this time, of his being assassinated, visibly struck a great consternation into all orders of men.<sup>20</sup> The Commons also abated, this session, somewhat of their excessive frugality, and granted him an aid, payable in four years, of three subsidies and six fifteenths, which Sir Francis Bacon said in the House<sup>21</sup> might amount to about four hundred thousand pounds; and for once the king and Parliament parted in friendship and good-humor. The hatred which the Catholics so visibly bore him gave him, at this time, an additional value in the eyes of his people. The only considerable point in which the Commons

<sup>20</sup> Kennet, p. 676.

<sup>21</sup> Journal, 20th of May, 1606.



incurred his displeasure was by discovering their constant good-will to the Puritans, in whose favor they desired a conference with the Lords,<sup>22</sup> which was rejected.

The chief affair transacted next session was the intended union of the two kingdoms.<sup>23</sup> Nothing could exceed the king's passion and zeal for this noble enterprise but the Parliament's prejudice and reluctance against it. There remain two excellent speeches in favor of the union, which it would not be improper to compare together—that of the king<sup>24</sup> and that of Sir Francis Bacon. Those who affect in everything such an extreme contempt for James will be surprised to find that his discourse, both for good reasoning and eloquent composition, approaches very near that of a man who was undoubtedly, at that time, one of the greatest geniuses in Europe. A few trivial indiscretions and indecorums may be said to characterize the harangue of the monarch and mark it for his own. And, in general, so open and avowed a declaration in favor of a measure, while he had taken no care, by any precaution or intrigue, to insure success, may safely be pronounced an indiscretion. But the art of managing parliaments by private interest or cabal, being found hitherto of little use or necessity, had not as yet become a part of English politics. In the common course of affairs, government could be conducted without their assistance; and when their concurrence became necessary to the measures of the crown, it was, generally speaking, except in times of great faction and discontent, obtained without much difficulty.

The king's influence seems to have rendered the Scottish Parliament cordial in all the steps which they took towards the union. Though the advantages which Scotland might hope from that measure were more considerable, yet were the objections, too, with regard to that kingdom more striking and obvious. The benefit which must have resulted to England, both by accession of strength and security, was not despicable; and as the English were by far the greater nation, and possessed the seat of government, the objections, either from the point of honor or from jealousy, could not reasonably have any place among them. The English Parliament, indeed, seemed to have been swayed merely by the vulgar motive of national antipathy. And they persisted so obstinately in their prejudices that

<sup>22</sup> Journal, 5th of April, 1606.

<sup>24</sup> King James's Works, p. 509.

<sup>23</sup> Kennet p. 676.

all the efforts for a thorough union and incorporation ended only in the abolition of the hostile laws formerly enacted between the kingdoms.<sup>25</sup>

Some precipitate steps which the king, a little after his accession, had taken, in order to promote his favorite project, had been here observed to do more injury than service. From his own authority he had assumed the title of King of Great Britain, and had quartered the arms of Scotland with those of England in all coins, flags, and ensigns. He had also engaged the judges to make a declaration that all those who, after the union of the crowns, should be born in either kingdom were, for that reason alone, naturalized in both. This was a nice question, and, according to the ideas of those times, susceptible of subtle reasoning on both sides. The king was the same; the parliaments were different. To render the people, therefore, the same, we must suppose that the sovereign authority resided chiefly in the prince, and that these popular assemblies were rather instituted to assist with money and advice than endowed with any controlling or active powers in the government. "It is evident," says Bacon, in his pleadings on this subject, "that all other commonwealths, monarchies only excepted, do subsist by a law precedent. For where authority is divided among many officers, and they not perpetual, but annual or temporary, and not to receive their authority but by election, and certain persons to have voices only in that election, and the like, these are busy and curious frames, which of necessity do presuppose a law precedent, written or unwritten, to guide and direct them. But in monarchies, especially hereditary, that is, when several families or lineages of people do submit themselves to one line, imperial or royal, the submission is more natural and simple; which afterwards by law subsequent is perfected and made more formal, but that is grounded upon nature."<sup>26</sup> It would seem from this reasoning, that the idea of an *hereditary, limited* monarchy, though implicitly supposed, in many public transactions had scarcely ever, as yet, been expressly formed by any English lawyer or politician.

<sup>25</sup> The Commons were even so averse to the union that they had complained in the former session to the Lords of the Bishop of Bristol for writing a book in favor of it, and the prelate was obliged to make submissions for this offence. The crime imputed to him seems to have consisted in his treating of a subject which lay before the Parliament. So little notion had they as yet of general liberty! See Parliamentary History, vol. v. pp. 108, 109, 110.

<sup>26</sup> Bacon's Works, vol. iv. pp. 190, 191, edit. 1730.

Except the obstinacy of the Parliament with regard to the union, and an attempt on the king's ecclesiastical jurisdiction,<sup>27</sup> most of their measures during this session were sufficiently respectful and obliging, though they still discover a vigilant spirit and a careful attention towards national liberty. The votes, also, of the Commons show that the House contained a mixture of Puritans who had acquired great authority among them,<sup>28</sup> and who, together with religious prejudices, were continually suggesting ideas more suitable to a popular than a monarchical form of government. The natural appetite for rule made the Commons lend a willing ear to every doctrine which tended to augment their own power and influence.

[1607.] A petition was moved in the Lower House for a more rigorous execution of the laws against popish recusants, and an abatement towards Protestant clergymen who scrupled to observe the ceremonies. Both these points were equally unacceptable to the king, and he sent orders to the House to proceed no further in that matter. The Commons were inclined, at first, to consider these orders as a breach of privilege; but they soon acquiesced when told that this measure of the king's was supported by many precedents during the reign of Elizabeth.<sup>29</sup> Had they been always disposed to make the precedents of that reign the rule of their conduct, they needed never have had any quarrel with any of their monarchs.

The complaints of Spanish depredations were very loud among the English merchants.<sup>30</sup> The Lower House sent a message to the Lords, desiring a conference with them, in order to their presenting a joint petition to the king on the subject. The Lords took some time to deliberate on this message, because they said the matter was *weighty* and *rare*. It probably occurred to them at first that the Parliament's interposing in affairs of state would appear unusual and extraordinary; and, to show that in this sentiment they were not guided by court influence, after they had deliberated they agreed to the conference.

The House of Commons began now to feel themselves of such importance that on the motion of Sir Edwin Sandys, a member of great authority, they entered, for the first time, an order for the regular keeping of their journals.<sup>31</sup> When

<sup>27</sup> Journal, 2d December, 5th March, 1606. 25th, 26th June, 1607.

<sup>28</sup> Journal, 26th February, 4th, 7th March, 1606. 2d May, 17th June, 1607.

<sup>29</sup> Journal, 16th, 17th June, 1607.

<sup>30</sup> Journal, 25th February, 1606.

<sup>31</sup> Journal, 3d July, 1607.

all business was finished, the king prorogued the Parliament.

About this time there was an insurrection of the country people in Northamptonshire, headed by one Reynolds, a man of low condition. They went about destroying enclosures, but carefully avoided committing any other outrage. This insurrection was easily suppressed, and though great lenity was used towards the rioters, yet were some of the ringleaders punished. The chief cause of that trivial commotion seems to have been of itself far from trivial. The practice still continued in England of disusing tillage, and throwing the land into enclosures for the sake of pasture. By this means the kingdom was depopulated, at least prevented from increasing so much in people as might have been expected from the daily increase of industry and commerce.

[1608-1609.] Next year presents us with nothing memorable; but in the spring of the subsequent, after a long negotiation, was concluded, by a truce of twelve years, that war which for near half a century had been carried on with such fury between Spain and the States of the United Provinces. Never contest seemed, at first, more unequal; never contest was finished with more honor to the weaker party. On the side of Spain were numbers, riches, authority, discipline. On the side of the revolted provinces were found the attachment to liberty and the enthusiasm of religion. By her naval enterprises the republic maintained her armies; and, joining peaceful industry to military valor, she was enabled, by her own force, to support herself and gradually rely less on those neighboring princes who, from jealousy to Spain, were at first prompted to encourage her revolt. Long had the pride of that monarchy prevailed over her interest and prevented her from hearkening to any terms of accommodation with her rebellious subjects. But, finding all intercourse cut off between her provinces by the maritime force of the States, she at last agreed to treat with them as a free people, and solemnly to renounce all claim and pretension to their sovereignty.

This chief point being gained, the treaty was easily brought to a conclusion, under the joint mediation and guarantee of France and England. All exterior appearances of honor were paid equally to both crowns; but very different were the sentiments which the States, as well as all Europe, entertained of the princes who wore them. Frugality and



vigor, the chief circumstances which procure regard among foreign nations, shone out as conspicuously in Henry as they were deficient in James. To a contempt of the English monarch, Henry seems to have added a considerable degree of jealousy and aversion, which were sentiments altogether without foundation. James was just and fair in all transactions with his allies,<sup>32</sup> but it appears from the memoirs of those times that each side deemed him partial towards their adversary, and fancied that he had entered into secret measures against them.<sup>33</sup> So little equity have men in their judgments of their own affairs, and so dangerous is that entire neutrality affected by the King of England.

[1610.] The little concern which James took in foreign affairs renders the domestic occurrences, particularly those of Parliament, the most interesting of his reign. A new session was held this spring; the king full of hopes of receiving supply, the Commons of circumscribing his prerogative. The Earl of Salisbury, now created treasurer on the death of the Earl of Dorset, laid open the king's necessities, first to the Peers, then to a committee of the Lower House.<sup>34</sup> He insisted on the unavoidable expense incurred in supporting the navy, and in suppressing a late insurrection in Ireland; he mentioned three numerous courts which the king was obliged to maintain for himself, for the queen, and for the Prince of Wales; he observed that Queen Elizabeth, though a single woman, had received very large supplies in the years preceding her death which alone were expensive to her; and he remarked that, during her reign, she had alienated many of the crown lands, an expedient which, though it supplied her present necessities without laying burdens on her people, extremely multiplied the necessities of her successor. From all these causes, he thought it no wise strange that the king's income should fall short so great a sum as eighty-one thousand pounds of his stated and regular expense, without mentioning contingencies, which ought always to be esteemed a fourth of the yearly charges. And as the crown was now necessarily burdened with a

<sup>32</sup> The plan of accommodation which James recommended is found in Winwood, vol. ii. pp. 429, 430, and is the same that was recommended by Henry, as we learn from Jeanin, tom. iii. pp. 416, 417. It had long been imagined by historians, from Jeanin's authority, that James had declared to the court of Spain that he would not support the Dutch in their pretensions to liberty and independence. But it has since been discovered by Winwood's Memorials, vol. ii. pp. 456, 466, 469, 475, 476, that that report was founded on a lie of President Richardot's.

<sup>33</sup> Winwood and Jeanin, *passim*.

<sup>34</sup> Journal, 17th February, 1609. Kennet, p. 681.

great and urgent debt of three hundred thousand pounds, he thence inferred the absolute necessity of an immediate and large supply from the people. To all these reasons, which James likewise urged in a speech addressed to both Houses, the Commons remained inexorable. But not to shock the king with an absolute refusal, they granted him one subsidy and one fifteenth, which would scarcely amount to a hundred thousand pounds; and James received the mortification of discovering in vain all his wants, and of begging aid of subjects who had no reasonable indulgence or consideration for him.

Among the many causes of disgust and quarrel which now daily and unavoidably multiplied between prince and Parliament, this article of money is to be regarded as none of the least considerable. After the discovery and conquest of the West Indies, gold and silver became every day more plentiful in England, as well as in the rest of Europe; and the price of all commodities and provisions rose to a height beyond what had been known since the declension of the Roman empire. As the revenue of the crown rose not in proportion,<sup>35</sup> the prince was insensibly reduced to poverty amid the general riches of his subjects, and required additional funds in order to support the same magnificence and force which had been maintained by former monarchs. But, while money thus flowed into England, we may observe that, at the same time, and probably from that very cause, arts and industry of all kinds received a mighty increase; and elegance in every enjoyment of life became better known and more cultivated among all ranks of people. The king's servants, both civil and military, his courtiers, his ministers, demanded more ample supplies from the impoverished prince, and were not contented with the same simplicity of living which had satisfied their ancestors. The prince himself began to regard an increase of pomp and splendor as requisite to support the dignity of his character and to preserve the same superiority above his subjects which his predecessors had enjoyed. Some equality, too, and proportion to the other sovereigns of Europe, it was natural for him to desire; and as they had universally enlarged their revenue and multiplied their taxes, the King of England deemed it reasonable that his subjects, who were

<sup>35</sup> Besides the great alienation of the crown lands, the fee-farm rents never increased; and the other lands were let on long leases, and at a great under-value, little or nothing above the old rent.

generally as rich as theirs, should bear with patience some additional burdens and impositions.

Unhappily for the king, those very riches, with the increasing knowledge of the age, bred opposite sentiments in his subjects; and, begetting a spirit of freedom and independence, disposed them to pay little regard either to the entreaties or menaces of their sovereign. While the barons possessed their former immense property and extensive jurisdictions, they were apt, at every disgust, to endanger the monarch, and throw the whole government into confusion; but this confusion often, in its turn, proved favorable to the monarch, and made the nation again submit to him in order to re-establish justice and tranquillity. After the power of alienations, as well as the increase of commerce, had thrown the balance of property into the hands of the Commons, the situation of affairs and the dispositions of men became susceptible of a more regular plan of liberty; and the laws were not supported singly by the authority of the sovereign. And though in that interval, after the decline of the Peers and before the people had experienced their force, the princes assumed an exorbitant power, and had almost annihilated the constitution under the weight of their prerogative, as soon as the Commons recovered from their lethargy they seemed to have been astonished at the danger, and were resolved to secure liberty by firmer barriers than their ancestors had hitherto provided for it.

Had James possessed a very rigid frugality, he might have warded off this crisis somewhat longer; and, waiting patiently for a favorable opportunity to increase and fix his revenue, might have secured the extensive authority transmitted to him. On the other hand, had the Commons been inclined to act with more generosity and kindness towards their prince, they might probably have turned his necessities to good account, and have bribed him to depart peaceably from the more dangerous articles of his prerogative. But he was a foreigner, and ignorant of the arts of popularity; they were soured by religious prejudices, and tenacious of their money: and in this situation, it is no wonder that, during this whole reign, we scarcely find an interval of mutual confidence and friendship between prince and Parliament.

The king, by his prerogative alone, had some years before altered the rates of the customs, and had established higher impositions on several kinds of merchandise. This

exercise of power will naturally, to us, appear arbitrary and illegal; yet, according to the principles and practices of that time, it might admit of some apology. The duties of tonnage and poundage were at first granted to the crown by a vote of Parliament, and for a limited time; and as the grant frequently expired and was renewed, there could not then arise any doubt concerning the origin of the king's right to levy these duties; and this imposition, like all others, was plainly derived from the voluntary consent of the people. But as Henry V. and all the succeeding sovereigns had the revenue conferred on them for life, the prince, so long in possession of these duties, began gradually to consider them as his own proper right and inheritance, and regarded the vote of Parliament as a mere formality, which rather expressed the acquiescence of the people in his prerogative than bestowed any new gift or revenue upon him.

The Parliament, when it first granted poundage to the crown, had fixed no particular rates: the imposition was given as a shilling in the pound, or five per cent. on all commodities. It was left to the king himself and the privy council, aided by the advice of such merchants as they should think proper to consult, to fix the value of goods, and thereby the rates of the customs. And as that value had been settled before the discovery of the West Indies, it was become much inferior to the prices which almost all commodities bore in every market in Europe; and consequently the customs on many goods, though supposed to be five per cent., was in reality much inferior. The king, therefore, was naturally led to think that rates which were now plainly false ought to be corrected; <sup>36</sup> that a valuation of commodities fixed by one act of the privy council might be amended by another; that if his right to poundage were inherent in the crown, he should also possess, of himself, the right of correcting its inequalities; if this duty were granted by the people, he should at least support the spirit of the law by fixing a new and a juster valuation of all commodities. But besides this reasoning, which seems plausible, if not solid, the king was supported in that act of power by direct precedents, some in the reign of Mary, some in the beginning of Elizabeth.<sup>37</sup> But these princesses

<sup>36</sup> Winwood, vol. ii. p. 438.

<sup>37</sup> Journal, 18th April, 5th and 10th of May, 1614, etc.; 20th February, 1625. See also Sir John Davis's Question concerning Impositions, pp. 127, 128.



had, without consent of Parliament, altered the rates of commodities; and as their impositions had all along been submitted to without a murmur, and still continued to be levied, the king had no reason to apprehend that a further exertion of the same authority would give any occasion of complaint. That less umbrage might be taken, he was moderate in the new rates which he established. The customs during his whole reign rose only from one hundred and twenty-seven thousand pounds a year to one hundred and ninety thousand; though, besides the increase of the rates, there was a sensible increase of commerce and industry during that period. Every commodity besides, which might serve to the subsistence of the people or might be considered as a material of manufactures, was exempted from the new impositions of James.<sup>38</sup> But all this caution could not prevent the complaints of the Commons. A spirit of liberty had now taken possession of the House: the leading members, men of an independent genius and large views, began to regulate their opinions more by the future consequences which they foresaw than by the former precedents which were set before them; and they less aspired at maintaining the ancient constitution than at establishing a new one, and a freer and a better. In their remonstrances to the king on this occasion, they observed it to be a general opinion "that the reasons of that practice might be extended much further, even to the utter ruin of the ancient liberty of the kingdom, and the subjects' right of property in their lands and goods."<sup>39</sup> Though expressly forbidden by the king to touch his prerogative, they passed a bill abolishing these impositions, which was rejected by the House of Lords.

In another address to the king, they objected to the practice of borrowing upon privy seals, and desired that the subjects should not be forced to lend money to his majesty nor give a reason for their refusal. Some murmurs likewise were thrown out in the House against a new monopoly of the license of wines.<sup>40</sup> It must be confessed that forced loans and monopolies were established on many and ancient as well as recent precedents, though diametrically opposite to all the principles of a free government.<sup>41</sup>

The House likewise discovered some discontent against the king's proclamations. James told them that though he

<sup>38</sup> Sir John Davis's Question concerning Impositions.

<sup>39</sup> Journal, 23d May, 1610.

<sup>40</sup> Parliamentary History, vol. v. p. 241.

<sup>41</sup> See note [HHH] at the end of the volume.

well knew, by the constitution and policy of the kingdom, that proclamations were not of equal force with laws, yet he thought it a duty incumbent on him, and a power inseparably annexed to the crown, to restrain and prevent such mischiefs and inconveniences as he saw growing on the state, against which no certain law was extant, and which might tend to the great detriment of the subject, if there should be no remedy provided till the meeting of a parliament. "And this prerogative," he adds, "our progenitors have in all times used and enjoyed."<sup>42</sup> The intervals between sessions, we may observe, were frequently so long as to render it necessary for a prince to interpose by his prerogative. The legality of this exertion was established by uniform and undisputed practice, and was even acknowledged by lawyers, who made, however, this difference between laws and proclamations, that the authority of the former was perpetual, that of the latter expired with the sovereign who emitted them.<sup>43</sup> But what the authority could be which bound the subject, yet was different from the authority of laws, and inferior to it, seems inexplicable by any maxims of reason or politics; and in this instance, as in many others, it is easy to see how inaccurate the English constitution was before the Parliament was enabled, by continued acquisitions or encroachments, to establish it on fixed principles of liberty.

Upon the settlement of the Reformation, that extensive branch of power which regards ecclesiastical matters, being then without an owner, seemed to belong to the first occupant; and Henry VIII. failed not immediately to seize it, and to exert it even to the utmost degree of tyranny. The possession of it was continued with Edward and recovered by Elizabeth; and that ambitious princess was so remarkably jealous of this flower of her crown that she severely reprimanded the Parliament if they ever presumed to intermeddle in these matters; and they were so overawed by her authority as to submit, and to ask pardon on these occasions. But James's parliaments were much less obsequious. They ventured to lift up their eyes, and to consider this prerogative. They there saw a large province of government possessed by the king alone, and scarcely ever communicated with the Parliament. They were sensible that this province admitted not of an exact boundary or circumscription. They had felt that the Roman pontiff, in former

<sup>42</sup> Parliamentary History, vol. v. p. 250.

<sup>43</sup> Journal, 12th May, 1624.

ages, under pretence of religion, was gradually making advances to usurp the whole civil power. They dreaded still more dangerous consequences from the claims of their own sovereign, who resided among them, and who, in many other respects, possessed such unlimited authority. They therefore deemed it absolutely necessary to circumscribe this branch of prerogative; and accordingly, in the preceding session, they passed a bill against the establishment of any ecclesiastical canons without consent of Parliament.<sup>44</sup> But the House of Lords, as is usual, defended the barriers of the throne, and rejected the bill.

In this session the Commons, after passing anew the same bill, made remonstrances against the proceedings of the *high commission court*.<sup>45</sup> It required no great penetration to see the extreme danger to liberty arising, in a regal government, from such large discretionary powers as were exercised by that court. But James refused compliance with the application of the Commons. He was probably sensible that, besides the diminution of his authority, many inconveniences must necessarily result from the abolishing of all discretionary power in every magistrate; and that the laws, were they ever so carefully framed and digested, could not possibly provide against every contingency, much less where they had not as yet attained a sufficient degree of accuracy and refinement.

But the business which chiefly occupied the Commons during this session was the abolition of wardships and purveyance, prerogatives which had been more or less touched on every session during the whole reign of James. In this affair the Commons employed the proper means which might entitle them to success: they offered the king a settled revenue as an equivalent for the powers which he should part with, and the king was willing to hearken to terms. After much dispute he agreed to give up these prerogatives for two hundred thousand pounds a year, which they agreed to confer upon him.<sup>46</sup> And nothing remained

<sup>44</sup> Journal, 2d, 11th December; 5th March, 1606.

<sup>45</sup> Parliamentary History, vol. v. p. 247. Kennet, p. 681.

<sup>46</sup> We learn from Winwood's Memorials (vol. ii. p. 193) the reason assigned for this particular sum: "From thence my lord treasurer came to the price; and here he said that the king would no more rise and fall like a merchant. That he would not have a flower of his crown (meaning the court of wards) so much tossed; that it was too dainty to be so handled; and then he said that he must deliver the very countenance and character of the king's mind out of his own handwriting; which, before he read, he said he would acquaint us with a pleasant conceit of his majesty. As concerning the number of nine-score thousand pounds, which was our number, he could not affect, because nine was the number of the poets, who were always beggars, though they served so many

towards closing the bargain but that the Commons should determine the funds by which this sum should be levied. This session was too far advanced to bring so difficult a matter to a full conclusion; and though the Parliament met again towards the end of the year and resumed the question, they were never able to terminate an affair upon which they seemed so intent. The journals of that session are lost; and as the historians of this reign are very negligent in relating parliamentary affairs, of whose importance they were not sufficiently apprised, we know not exactly the reason of this failure. It only appears that the king was extremely dissatisfied with the conduct of the Parliament, and soon after dissolved it. This was his first Parliament, and it sat near seven years.

Amid all these attacks, some more, some less violent, on royal prerogative, the king displayed as openly as ever all his exalted notions of monarchy and the authority of princes. Even in a speech to the Parliament, where he begged for a supply, and where he should naturally have used every art to ingratiate himself with that assembly, he expressed himself in these terms: "I conclude, then, the point touching the power of kings with this axiom of divinity, that, as to dispute *what God may do* is blasphemy, but *what God wills*, that divines may lawfully and do ordinarily dispute and discuss, so is it sedition in subjects to dispute what a king may do in the height of his power. But just kings will ever be willing to declare what they will do, if they will not incur the curse of God. I will not be content that my power be disputed upon, but I shall ever be willing to make the reason appear of my doings, and rule my actions according to *my* laws."<sup>47</sup> Notwithstanding the great extent of prerogative in that age, these expressions would probably give some offence. But we may observe that as the king's despotism was more speculative than practical, so the independency of the Commons was at this time the reverse; and, though strongly supported by their present situation as well as disposition, was too new and recent to be as yet founded on systematical principles and opinions.<sup>48</sup>

muses; and eleven was the number of the apostles, when the traitor Judas was away; and therefore might best be affected by his majesty; but there was a mean number which might accord us both; and *that was ten*; which, says my lord treasurer, is a sacred number; for so many were God's commandments, which tend to virtue and edification." If the Commons really voted twenty thousand pounds a year more on account of this *pleasant conceit* of the king and the treasurer, it was certainly the best-paid wit for its goodness that ever was in the world.

<sup>47</sup> King James's Works, p. 531.

<sup>48</sup> See note [III] at the end of the volume.



This year was distinguished by a memorable event, which gave great alarm and concern in England—the murder of the French monarch by the poniard of the fanatical Ravallac. With his death the glory of the French monarchy suffered an eclipse for some years; and as that kingdom fell under an administration weak and bigoted, factious and disorderly, the Austrian greatness began anew to appear formidable to Europe. In England, the antipathy to the Catholics revived a little upon this tragical event; and some of the laws which had formerly been enacted in order to keep these religionists in awe began now to be executed with greater vigor and severity.<sup>49</sup>

[1611.] Though James's timidity and indolence fixed him, during most of his reign, in a very prudent inattention to foreign affairs, there happened this year an event in Europe of such mighty consequence as to rouse him from his lethargy and summon up all his zeal and enterprise. A professor of divinity named Vorstius, the disciple of Arminius, was called from a German to a Dutch university; and as he differed from his Britannic majesty in some nice questions concerning the intimate essence and secret decrees of God, he was considered as a dangerous rival in scholastic fame, and was at last obliged to yield to the legions of that royal doctor, whose syllogisms he might have refuted or eluded. If vigor was wanting in other incidents of James's reign, here he behaved even with haughtiness and insolence; and the States were obliged, after several remonstrances, to deprive Vorstius of his chair and to banish him their dominions.<sup>50</sup> The king carried no further his animosity against that professor, though he had very charitably hinted to the States "that as to the burning of Vorstius for his blasphemies and atheism, he left them to their own Christian wisdom; but surely never heretic better deserved the flames."<sup>51</sup> It is to be remarked that at this period all over Europe, except in Holland alone, the practice of burning heretics still prevailed, even in Protestant countries; and instances were not wanting in England during the reign of James.

To consider James in a more advantageous light, we must take a view of him as the legislator of Ireland; and most of the institutions which he had framed for civilizing that kingdom being finished about this period, it may not here be improper to give some account of them. He frequently boasts of the management of Ireland as his mas-

<sup>49</sup> Kennet, p. 684.<sup>50</sup> Kennet, p. 715.<sup>51</sup> King James's Works, p. 355.

terpiece; and it will appear, upon inquiry, that his vanity in this particular was not altogether without foundation.

[1612.] After the subjection of Ireland by Elizabeth, the more difficult task still remained—to civilize the inhabitants, to reconcile them to laws and industry, and to render their subjection durable and useful to the crown of England. James proceeded in this work by a steady, regular, and well-concerted plan; and in the space of nine years, according to Sir John Davis, he made greater advances towards the reformation of that kingdom than had been made in the four hundred and forty years which had elapsed since the conquest was first attempted.<sup>52</sup>

It was previously necessary to abolish the Irish customs, which supplied the place of laws, and which were calculated to keep that people forever in a state of barbarism and disorder.

By the *Brehon* law or custom every crime, however enormous, was punished, not with death, but by a fine or pecuniary mulct which was levied upon the criminal. Murder itself, as among all the ancient barbarous nations, was atoned for in this manner; and each man, according to his rank, had a different rate or value affixed to him, which, if any one were willing to pay, he needed not fear assassinating his enemy. This rate was called his *eric*. When Sir William Fitzwilliams, being lord deputy, told Maguire that he was to send a sheriff into Fermannah, which a little before had been made a county and subjected to the English law, “Your sheriff,” said Maguire, “shall be welcome to me; but let me know beforehand his *eric*, or the price of his head, that, if my people cut it off, I may levy the money upon the county.”<sup>53</sup> As for oppression, extortion, and other trespasses, so little were they regarded that no penalty was affixed to them, and no redress for such offences could ever be obtained.

The customs of *gavelkinde* and *tanistry* were attended with the same absurdity in the distribution of property. The land, by the custom of *gavelkinde*, was divided among all the males of the sept, or family, both bastard and legitimate; and, after partition made, if any of the sept died, his portion was not shared out among his sons, but the chieftain, at his discretion, made a new partition of all the lands belonging to that sept, and gave every one his share.<sup>54</sup> As

<sup>52</sup> King James's Works, p. 259, edit. 1613.

<sup>53</sup> Sir John Davis, p. 166.

<sup>54</sup> Sir John Davis, p. 167.

no man, by reason of this custom, enjoyed the fixed property of any land, to build, to plant, to enclose, to cultivate, to improve, would have been so much lost labor.

The chieftains and the tanists, though drawn from the principal families, were not hereditary, but were established by election, or, more properly speaking, by force and violence. Their authority was almost absolute, and, notwithstanding that certain lands were assigned to the office, its chief profit resulted from exactions, dues, assessments, for which there was no fixed law, and which were levied at pleasure.<sup>55</sup> Hence arose that common byword among the Irish, *that they dwelt westward of the law, which dwelt beyond the river of the Barrow*—meaning the country where the English inhabited, and which extended not beyond the compass of twenty miles, lying in the neighborhood of Dublin.<sup>56</sup>

After abolishing these Irish customs and substituting English law in their place, James, having taken all the natives under his protection and declared them free citizens, proceeded to govern them by a regular administration, military as well as civil.

A small army was maintained, its discipline inspected, and its pay transmitted from England, in order to keep the soldiers from preying upon the country, as had been usual in former reigns. When Odoghartie raised an insurrection, a reinforcement was sent over, and the flames of that rebellion were immediately extinguished.

All minds being first quieted by a general indemnity,<sup>57</sup> circuits were established, justice administered, oppression banished, and crimes and disorders of every kind severely punished.<sup>58</sup> As the Irish had been universally engaged in the rebellion against Elizabeth, a resignation of all the rights which had been formerly granted them to separate jurisdictions was rigorously exacted; and no authority but that of the king and the law was permitted throughout the kingdom.<sup>59</sup>

A resignation of all private estates was even required; and when they were restored, the proprietors received them under such conditions as might prevent for the future all tyranny and oppression over the common people. The value of the dues which the nobles usually claimed from

<sup>55</sup> Sir John Davis, p. 173.

<sup>57</sup> Sir John Davis, p. 263.

<sup>59</sup> Sir John Davis, p. 276.

<sup>56</sup> Sir John Davis, p. 237.

<sup>58</sup> Sir John Davis, pp. 264, 265, etc.

their vassals was estimated at a fixed sum, and all further arbitrary exactions prohibited under severe penalties.<sup>60</sup>

The whole province of Ulster having fallen to the crown by the attainder of the rebels, a company was established in London for planting new colonies in that fertile country. The property was divided into moderate shares, the largest not exceeding two thousand acres; tenants were brought over from England and Scotland; the Irish were removed from the hills and fastnesses, and settled in the open country; husbandry and the arts were taught them; a fixed habitation secured; plunder and robbery punished; and by these means Ulster, from being the most wild and disorderly province of all Ireland, soon became the best cultivated and most civilized.<sup>61</sup>

Such were the arts by which James introduced humanity and justice among a people who had ever been buried in the most profound barbarism. Noble cares! much superior to the vain and criminal glory of conquests, but requiring ages of perseverance and attention to perfect what had been so happily begun.

A laudable act of justice was about this time executed in England upon Lord Sanquhir, a Scottish nobleman, who had been guilty of the base assassination of Turner, a fencing-master. The English nation, who were generally dissatisfied with the Scots, were enraged at this crime, equally mean and atrocious; but James appeased them by preferring the severity of law to the intercession of the friends and family of the criminal.<sup>62</sup>

<sup>60</sup> Sir John Davis, p. 278.

<sup>61</sup> Sir John Davis, p. 280.

<sup>62</sup> Kennet, p. 688.



## NOTES.

### NOTE [A], p. 18.

Collier, in his *Ecclesiastical History*, vol. ii. p. 152, has preserved an account which Cromwell gave of this conference, in a letter to Sir Thomas Wyat, the king's ambassador in Germany. "The king's majesty," says Cromwell, "for the reverence of the holy sacrament of the altar, did sit openly in his hall, and there presided at the disputation, process, and judgment of a miserable heretic sacramentary, who was burned the 20th of November. It was a wonder to see how princely, with how excellent gravity and inestimable majesty, his highness exercised there the very office of supreme head of the church of England. How benignly his grace essayed to convert the miserable man. How strong and manifest reasons his highness alleged against him. I wish the princes and potentates of Christendom to have had a meet place to have seen it. Undoubtedly they should have much marvelled at his majesty's most high wisdom and judgment, and reputed him no otherwise after the same than in a manner the mirror and light of all other kings and princes in Christendom." It was by such flatteries that Henry was engaged to make his sentiments the standard to all mankind; and was determined to enforce, by the severest penalties, his *strong and manifest* reasons for transubstantiation.

### NOTE [B], p. 20.

There is a story that the Duke of Norfolk, meeting, soon after this act was passed, one of his chaplains, who was suspected of favoring the Reformation, said to him, "Now, sir, what think you of the law to hinder priests from having wives?" "Yes, my lord," replies the chaplain, "you have done that; but I will answer for it, you cannot hinder men's wives from having priests."

### NOTE [C], p. 31.

To show how much Henry sported with law and common-sense, how servilely the Parliament followed all his caprices, and how much both of them were lost to all sense of shame, an act was passed this session declaring that a pre-contract should be no ground for annulling a marriage; as if that pretext had not been made use of both in the case of Anne Boleyn and Anne of Cleves. But the king's intention in this law is said to be a design of restoring the Princess Elizabeth to her right of legitimacy; and it was his character never to look farther than the present object, without regarding the inconsistency of his conduct. The Parliament made it high treason to deny the dissolution of Henry's marriage with Anne of Cleves (Herbert).

### NOTE [D], p. 40.

It was enacted by this Parliament that there should be trial of treason in any county where the king should appoint by commission. The statutes of treason had been extremely multiplied in this reign; and such an expedient saved trouble and charges in trying that crime. The same Parliament erected Ireland into a kingdom; and Henry henceforth annexed the title of King of Ireland to his other titles. This session the Commons first began the practice of freeing any of their members who were arrested, by a writ issued by the speaker. Formerly it was usual for them to apply for a writ from chancery to that purpose. This precedent increased the authority of the Commons, and had afterwards important consequences (Hollingshed, pp. 955, 956; Baker, p. 289).

## NOTE [E], p. 47.

The persecutions exercised during James's reign are not to be ascribed to his bigotry, a vice of which he seems to have been as free as Francis the First or the Emperor Charles, both of whom, as well as James, showed, in different periods of their lives, even an inclination to the new doctrines. The extremities to which all these princes were carried proceeded entirely from the situation of affairs during that age, which rendered it impossible for them to act with greater temper or moderation, after they had embraced the resolution of supporting the ancient establishments. So violent was the propensity of the times towards innovation that a bare toleration of the new preachers was equivalent to a formed design of changing the national religion.

## NOTE [F], p. 96.

Spotswood, p. 75. The same author (p. 92) tells us a story which confirms this character of the popish clergy in Scotland. It became a great dispute in the university of St. Andrew's whether the *pater* should be said to God or the saints. The friars, who knew in general that the reformers neglected the saints, were determined to maintain their honor with great obstinacy, but they knew not upon what topics to found their doctrine. Some held that the *pater* was said to God *formaliter*, and to saints *materialiter*; others, to God *principaliter*, and to saints *minus principaliter*; others would have it *ultimate* and *non ultimate*; but the majority seemed to hold that the *pater* was said to God *capiendo stricte*, and to saints *capiendo large*. A simple fellow who served the sub-prior, thinking there was some great matter in hand that made the doctors hold so many conferences together, asked him one day what the matter was; the sub-prior answering, "Tom," that was the fellow's name, "we cannot agree to whom the paternoster should be said." He suddenly replied, "To whom, sir, should it be said, but unto God?" Then said the sub-prior, "What shall we do with the saints?" He answered, "Give them aves and creeds enow in the devil's name; for that may suffice them." The answer going abroad, many said *that he had given a wiser decision than all the doctors had done with all their distinctions.*

## NOTE [G], p. 115.

Another act passed this session takes notice, in the preamble, that the city of York, formerly well inhabited, was now much decayed; inasmuch that many of the cures could not afford a competent maintenance to the incumbents. To remedy this inconvenience, the magistrates were empowered to unite as many parishes as they thought proper. An ecclesiastical historian (Collier, vol ii. p. 230) thinks that this decay of York is chiefly to be ascribed to the dissolution of monasteries, by which the revenues fell into the hands of persons who lived at a distance.

A very grievous tax was imposed this session upon the whole stock and moneyed interest of the kingdom, and even upon its industry. It was a shilling in the pound yearly, during three years, on every person worth ten pounds or upwards; the double on aliens and denizens. These last, if above twelve years of age, and if worth less than twenty shillings, were to pay eightpence yearly. Every wether was to pay twopence yearly; every ewe threepence. The woollen manufactures were to pay eightpence a pound on the value of all the cloth they made. These exorbitant taxes on money are a proof that few people lived on money lent at interest; for this tax amounts to half of the yearly income of all money-holders, during three years, estimating their interest at the rate allowed by law; and was too grievous to be borne if many persons had been affected by it. It is remarkable that no tax at all was laid upon land this session. The profits of merchandise were commonly so high that it was supposed it could bear this imposition. The most absurd part of the law seems to be the tax upon the woollen manufactures (see 2 and 3 Edward VI. cap. 36). The subsequent Parliament repealed the tax on sheep and woollen cloth (3 and 4 Edward VI. cap. 23). But they continued the other tax a year longer (ib).

The clergy taxed themselves at six shillings in the pound, to be paid in three years. This taxation was ratified in Parliament, which had been the common practice since the Reformation, implying that the clergy have no legislative power even over themselves (see 2 and 3 Edward VI. cap. 35).

## NOTE [H], p. 175.

The pope at first gave Cardinal Pole powers to transact only with regard to the past fruits of the church lands: but being admonished of the danger attend-

ing any attempt towards a resumption of the lands, he enlarged the cardinal's powers, and granted him authority to insure the future possession of the church lands to the present proprietors. There was only one clause in the cardinal's powers that has given occasion for some speculation. An exception was made of such cases as Pole should think important enough to merit the being communicated to the holy see. But Pole simply ratified the possession of all the church lands; and his commission had given him full powers to that purpose (see *Harleyan Miscellany*, vol. vii. pp. 264, 266). It is true some councils have declared that it exceeds even the power of the pope to alienate any church lands; and the pope, according to his convenience or power, may either adhere to or recede from this declaration. But every year gave solidity to the right of the proprietors of church lands, and diminished the authority of the popes; so that men's dread of popery in subsequent times was more founded on party or religious zeal than on very solid reasons.

NOTE [I], p. 211.

*The passage of Hollingshed, in the Discourse prefixed to his History, and which some ascribe to Harrison, is as follows. Speaking of the increase of luxury: "Neither do I speak this in reproach of any man, God is my judge; but to show that I do rejoice rather to see how God has blessed us with his good gifts, and to behold how that in a time wherein all things are grown to most excessive prices, we do yet find the means to obtain and achieve such furniture as heretofore has been impossible. There are old men yet dwelling in the village where I remain, which have noted three things to be marvellously altered in England within their sound remembrance. One is the multitude of chimneys lately erected; whereas, in their young days, there were not above two or three, if so many, in most uplandish towns of the realm (the religious houses and manor places of their lords always excepted, and peradventure some great personage); but each made his fire against a reredosse in the hall where he dined and dressed his meat. The second is the great amendment of lodging; for, said they, our fathers, and we ourselves, have lain full oft upon straw pallettes covered only with a sheet under coverlets made of dogswaine or hopharlots (I use their own terms), and a good round log under their head instead of a bolster. If it were so that the father or the goodman of the house had a mattress or flock-bed, and thereto a sack of chaff to rest his head upon, he thought himself to be as well lodged as the lord of the town; so well were they contented. Pillows, said they, were thought meet only for women in childbed: as for servants, if they had any sheet above them it was well; for seldom had they any under their bodies to keep them from the pricking straws that ran off through the canvas, and razed their hardened hides. The third thing they tell of is the exchange of Treene platters (so called, I suppose, from *Trec or Wood*) into pewter, and wooden spoons into silver or tin. For so common were all sorts of treene vessels in old time, that a man should hardly find four pieces of pewter (of which one was peradventure a saut) in a good farmer's house." (*Description of Britain*, chap. x.) Again, in chap. xvi.: "In times past men were contented to dwell in houses built of sawlow, willow, &c.; so that the use of the oak was in a manner dedicated wholly unto churches, religious houses, princes' palaces, navigation, &c.; but now sawlow, &c., are rejected, and nothing but oak anywhere regarded; and yet see the change; for when our houses were builded of willow, then had we oaken men; but now that our houses are come to be made of oak, our men are not only become willow, but a great many altogether of straw, which is a sore alteration. In these the courage of the owner was a sufficient defence to keep the house in safety; but now the assurance of the timber must defend the men from robbing. Now have we many chimneys; and yet our tenderlines complain of rheums, catarrhs, and poses; then had we none but reredosses, and our heads did never ache. For as the smoke in those days was supposed to be a sufficient hardening for the timber of the house, so it was reputed a far better medicine to keep the good-man and his family from the quack or pose, wherewith, as then, very few were acquainted." Again, in chap. xviii.: "our pewterers in time past employed the use of pewter only upon dishes and pots, and a few other trifles for service; whereas now they are grown into such exquisite cunning that they can in a manner imitate by infusion any form or fashion of cup, dish, salt, or bowl, or goblet which is made by goldsmith's craft, though they be never so curious, and very artificially forged. In some places beyond the sea, a garish of good flat English pewter (I say flat, because dishes and platters in my time begin to be made deep and like basons, and are indeed more convenient both for sauce and keeping the meat warm) is almost esteemed so precious as the like number of vessels that are made of fine silver." *If the reader is curious to know the hours of meals in Queen Elizabeth's reign, he may learn it from the same author.* With us the nobility, gentry, and students do ordinarily go to dinner at eleven before noon,*

and to supper at five, or between five and six at afternoon. The merchants dine and sup seldom before twelve at noon and six at night, especially in London. The husbandmen dine also at high noon as they call it, and sup at seven or eight; but out of term in our universities the scholars dine at ten.

Froissart mentions waiting on the Duke of Lancaster at five o'clock in the afternoon, when he had supped. These hours are still more early. It is hard to tell why, all over the world, as the age becomes more luxurious, the hours become later. Is it the crowd of amusements that push on the hours gradually? or are the people of fashion better pleased with the secrecy and silence of nocturnal hours, when the industrious vulgar are all gone to rest? In rude ages men have few amusements or occupations but what daylight affords them.

NOTE [K], p. 221.

The Parliament also granted the queen the duties of tonnage and poundage; but this concession was at that time regarded only as a matter of form, and she had levied these duties before they were voted by Parliament. But there was another exertion of power which she practised, and which people, in the present age, from their ignorance of ancient practices, may be apt to think a little extraordinary. Her sister, after the commencement of the war with France, had, from her own authority, imposed four marks on each tun of wine imported, and had increased the poundage a third on all commodities. Queen Elizabeth continued these impositions as long as she thought convenient. The Parliament, who had so good an opportunity of restraining these arbitrary taxes, when they voted the tonnage and poundage, thought not proper to make any mention of them. They knew that the sovereign, during that age, pretended to have the sole regulation of foreign trade, and that their intermeddling with that prerogative would have drawn on them the severest reproof, if not chastisement (see Forbes, vol. i. pp. 132, 133). We know certainly, from the statutes and journals, that no such impositions were granted by Parliament.

NOTE [L], p. 230.

Knox, p. 127. We shall suggest afterwards some reasons to suspect that perhaps no express promise was ever given. Calumnies easily arise during times of faction, especially those of the religious kind, when men think every art lawful for promoting their purpose. The congregation, in their manifesto, in which they enumerate all the articles of the regent's maladministration, do not reproach her with this breach of promise. It was probably nothing but a rumor spread abroad to catch the populace. If the papists have sometimes maintained that no faith was to be kept with heretics, their adversaries seem also to have thought that no truth ought to be told of idolaters.

NOTE [M], p. 233.

Spotswood, p. 146. Melvil, p. 29. Knox, pp. 225, 228. Lesley, lib. 10. That there was really no violation of the capitulation of Perth appears from the manifesto of the congregation, in Knox, p. 184, in which it is not so much as pretended. The companies of Scotch soldiers were probably in Scotch pay, since the congregation complains that the country was oppressed with taxes to maintain armies (Knox, pp. 164, 165). And even if they had been in French pay, it had been no breach of the capitulation, since they were national troops, not French. Knox does not say (p. 139) that any of the inhabitants of Perth were tried or punished for their past offences, but only that they were oppressed with the quartering of soldiers; and the congregation, in their manifesto, say only that many of them had fled for fear. This plain detection of the calumny, with regard to the branch of the capitulation of Perth, may make us suspect a like calumny with regard to the pretended promise not to give sentence against the ministers. The affair lay altogether between the regent and the Laird of Dun; and that gentleman, though a man of sense and character, might be willing to take some general professions for promises. If the queen, overawed by the power of the congregation, gave such a promise in order to have liberty to proceed to a sentence, how could she expect to have power to execute a sentence so insidiously obtained? And to what purpose could it serve?

NOTE [N], p. 234.

Knox, pp. 153, 154, 155. This author pretends that this article was agreed to verbally, but that the queen's scribes omitted it in the treaty which was signed.



The story is very unlikely, or rather very absurd; and in the mean time it is allowed that the article is not in the treaty; nor do the congregation, in their subsequent manifesto, insist upon it (Knox, p. 184). Besides, would the queen-regent, in an article of a treaty, call her own religion idolatry?

## NOTE [O], p. 236.

The Scotch lords, in their declaration, say, "How far we have sought support of England, or of any other prince, and what just cause we had and have so to do, we shall shortly make manifest unto the world, to the praise of God's holy name, and to the confusion of all those that slander us for so doing: for this we fear not to confess, that as in this enterprise against the devil, against idolatry and the maintainers of the same, we chiefly and only seek God's glory to be notified unto men, sin to be punished, and virtue to be maintained; so, where power faileth of ourselves, we will seek it wheresoever God shall offer the same" (Knox, p. 176).

## NOTE [P], p. 271.

This year the council of Trent was dissolved, which had sitten from 1545. The publication of its decrees excited anew the general ferment in Europe; while the Catholics endeavored to enforce the acceptance of them, and the Protestants rejected them. The religious controversies were too far advanced to expect that any conviction would result from the decrees of this council. It is the only general council which has been held in an age truly learned and inquisitive; and as the history of it has been written with great penetration and judgment, it has tended very much to expose clerical usurpations and intrigues, and may serve as a specimen of more ancient councils. No one expects to see another general council till the decay of learning and the progress of ignorance shall again fit mankind for these great impostures.

## NOTE [Q], p. 278.

It appears, however, from Randolph's Letters (see Keith, p. 290) that some offers had been made to that minister of seizing Lenox and Darnley, and delivering them into Queen Elizabeth's hands. Melvil confirms the same story, and says that the design was acknowledged by the conspirators (p. 56). This serves to justify the account given by the queen's party of the Raid of Bath, as it is called (see, farther, Goodall, vol. ii. p. 358). The other conspiracy, of which Murray complained, is much more uncertain, and is founded on very doubtful evidence.

## NOTE [R], p. 283.

Buchanan confesses that Rizzio was ugly; but it may be inferred, from the narration of that author, that he was young. He says that, on the return of the Duke of Savoy to Turin, Rizzio was in *adolescenciæ rigore*, in the vigor of youth. Now that event happened only a few years before (lib. 17, cap. 44). That Bothwell was young appears, among many other invincible proofs, from Mary's instructions to the Bishop of Dumblain, her ambassador at Paris; where she says that in 1559, only eight years before, he was *very young*. He might therefore have been about thirty when he married her (see Keith's History, p. 388). From the Appendix to the *Epistolæ Regum Scotorum*, it appears, by authentic documents, that Patrick, Earl of Bothwell, father to James, who espoused Queen Mary, was alive till near the year 1560. Buchanan, by a mistake which had been long ago corrected, calls him James.

## NOTE [S], p. 293.

Mary herself confessed in her instructions to the ambassadors whom she sent to France that Bothwell persuaded all the noblemen that their application in favor of his marriage was agreeable to her (Keith, p. 389; Anderson, vol. i. p. 94). Murray afterwards produced to Queen Elizabeth's commissioners a paper signed by Mary, by which she permitted them to make this application to her. This permission was a sufficient declaration of her intentions, and was esteemed equivalent to a command (Anderson, vol. iv. p. 59). They even asserted that the house in which they met was surrounded with armed men (Goodall, vol. ii. p. 141).

## NOTE [T], p. 316.

Mary's complaints of the queen's partiality in admitting Murray to a conference was a mere pretext in order to break off the conference. She indeed employs that reason in her order for that purpose (see Goodall, vol. ii. p. 184); but in her private letter, her commissioners are directed to make use of that order to prevent her honor from being attacked (Goodall, vol. ii. p. 183). It was therefore the accusation only she was afraid of. Murray was the least obnoxious of all her enemies: he was abroad when her subjects rebelled and reduced her to captivity; he had only accepted of the regency when voluntarily proffered him by the nation. His being admitted to Queen Elizabeth's presence was therefore a very bad foundation for a quarrel, or for breaking off the conference; and was plainly a mere pretence.

## NOTE [U], p. 318.

We shall not enter into a long discussion concerning the authenticity of these letters; we shall only remark in general that the chief objections against them are that they are supposed to have passed through the Earl of Morton's hands, the least scrupulous of all Mary's enemies; and that they are to the last degree indecent and even somewhat inelegant, such as it is not likely she would write. But to these presumptions we may oppose the following considerations. (1.) Though it be not difficult to counterfeit a subscription, it is very difficult, and almost impossible, to counterfeit several pages, so as to resemble exactly the handwriting of any person. These letters were examined and compared with Mary's handwriting by the English privy council, and by a great many of the nobility, among whom were several partisans of that princess. They might have been examined by the Bishop of Ross, Herreis, and others of Mary's commissioners. The regent must have expected that they would be very critically examined by them; and had they not been able to stand that test, he was only preparing a scene of confusion to himself. Bishop Lesly expressly declines the comparing of the hands, which he calls no legal proof (Goodall, vol. ii. p. 389). (2.) The letters are very long, much longer than they needed to have been in order to serve the purposes of Mary's enemies—a circumstance which increased the difficulty, and exposed any forgery the more to the risk of a detection. (3.) They are not so gross and palpable as forgeries commonly are, for they still left a pretext for Mary's friends to assert that their meaning was strained to make them appear criminal (see Goodall, vol. ii. p. 361). (4.) There is a long contract of marriage, said to be written by the Earl of Huntley, and signed by the queen, before Bothwell's acquittal. Would Morton, without any necessity, have thus doubled the difficulties of the forgery and the danger of detection? (5.) The letters are indiscreet; but such was apparently Mary's conduct at that time: they are inelegant; but they have a careless, natural air, like letters hastily written between familiar friends. (6.) They contain such a variety of particular circumstances as nobody could have thought of inventing, especially as they must necessarily have afforded her many means of detection. (7.) We have not the originals of the letters, which were in French; we have only a Scotch and Latin translation from the original, and a French translation professedly done from the Latin. Now it is remarkable that the Scotch translation is full of Gallicisms, and is clearly a translation from a French original; such as *make fault, faire des fautes: make it seem that I believe, faire semblant de le croire; make brek, faire breche: this is my first journey, c'est ma première journée; have you not desired to laugh? n'avez vous pas envie de rire? the place will hold unto the death, la place tiendra jusqu'à la mort; he may not come forth of the house this long time, il ne peut pas sortir du logis de long-tems; to make me advertisement, faire m'avertir; put order to it, mettre ordre à cela; discharge your heart, decharger votre cœur; make gud watch, faites bonne garde: etc.* (8.) There is a conversation which she mentions between herself and the king one evening; but Murray produced before the English commissioners the testimony of one Crawford, a gentleman of the Earl of Lenox, who swore that the king, on her departure from him, gave him an account of the same conversation. (9.) There seems very little reason why Murray and his associates should run the risk of such a dangerous forgery, which must have rendered them infamous if detected; since their cause, from Mary's known conduct, even without these letters, was sufficiently good and justifiable. (10.) Murray exposed these letters to the examination of persons qualified to judge of them: the Scotch council, the Scotch Parliament, Queen Elizabeth and her council, who were possessed of a great number of Mary's genuine letters. (11.) He gave Mary herself an opportunity of refuting and exposing him, if she had chosen to lay hold of it. (12.) The letters tally so well with all the other parts of her conduct during that transaction that these proofs throw the strongest light on each other. (13.)

The Duke of Norfolk, who had examined these papers, and who favored so much the Queen of Scots that he intended to marry her, and in the end lost his life in her cause, yet believed them authentic, and was fully convinced of her guilt. This appears not only from his letters above mentioned to Queen Elizabeth and her ministers, but by his secret acknowledgment to Banister, his most trusty confidant (see *State Trials*, vol. i. p. 81). In the conferences between the duke, Secretary Lidington, and the Bishop of Ross, all of them zealous partisans of that princess, the same thing is always taken for granted (ibid. pp. 74, 75; see, farther, MS. in the Advocates' Library, A. 3, 28, p. 314, from Cott. lib. Calig. c. 9). Indeed, the duke's full persuasion of Mary's guilt, without the least doubt or hesitation, could not have had place if he had found Lidington or the Bishop of Ross of a different opinion, or if they had ever told him that these letters were forged. It is to be remarked that Lidington, being one of the accomplices, knew the whole bottom of the conspiracy against King Henry, and was besides a man of such penetration that nothing could escape him in such interesting events. (14.) I need not repeat the presumption drawn from Mary's refusal to answer. The only excuse for her silence is that she suspected Elizabeth to be a partial judge: it was not indeed the interest of that princess to acquit and justify her rival and competitor; and we accordingly find that Lidington, from the secret information of the Duke of Norfolk, informed Mary, by the Bishop of Ross, that the Queen of England never meant to come to a decision, but only to get into her hands the proofs of Mary's guilt, in order to blast her character (see *State Trials*, vol. i. p. 77). But this was a better reason for declining the conference altogether than for breaking it off on frivolous pretences, the very moment the chief accusation was unexpectedly opened against her. Though she could not expect Elizabeth's final decision in her favor, it was of importance to give a satisfactory answer, if she had any, to the accusation of the Scotch commissioners. That answer could have been dispersed for the satisfaction of the public, of foreign nations, and of posterity. And surely, after the accusation and proofs were in Queen Elizabeth's hands, it could do no harm to give in the answers. Mary's information that the queen never intended to come to a decision, could be no obstacle to her justification. (15.) The very disappearance of these letters is a presumption of their authenticity. That event can be accounted for no way but from the care of King James's friends, who were desirous to destroy every proof of his mother's crimes. The disappearance of Morton's narrative, and of Crawford's evidence from the Cotton Library (Calig. c. 1), must have proceeded from a like cause (see MS. in the Advocates' Library, A. 3, 29, p. 88).

I find an objection made to the authenticity of the letters, drawn from the vote of the Scotch privy council, which affirms the letters to be written and subscribed by Queen Mary's own hand; whereas the copies given to the Parliament a few days after were only written, not subscribed (see Goodall vol. ii. pp. 64, 67). But it is not considered that this circumstance is of no manner of force: there were certainly letters, true or false, laid before the council; and whether the letters were true or false, this mistake proceeds equally from the inaccuracy or blunder of the clerk. The mistake may be accounted for: the letters were only written by her; the second contract with Bothwell was only subscribed. A proper accurate distinction was not made; and they are all said to be written and subscribed. A late writer, Mr. Goodall, has endeavored to prove that these letters clash with chronology, and that the queen was not in the places mentioned in the letters on the days there assigned; to confirm this he produces charters and other deeds signed by the queen, where the date and place do not agree with the letters. But it is well known that the date of charters and such-like grants is no proof of the real day on which they were signed by the sovereign. Papers of that kind commonly pass through different offices; the date is affixed by the first office, and may precede very long the day of the signature.

The account given by Morton of the manner in which the papers came into his hands is very natural. When he gave it to the English commissioners, he had reason to think it would be canvassed with all the severity of able adversaries interested in the highest degree to refute it. It is probable that he could have confirmed it by many circumstances and testimonies, since they declined the contest.

The sonnets are inelegant; insomuch that both Brantome and Ronsard, who knew Queen Mary's style, were assured, when they saw them, that they could not be of her composition (Jebb, vol. ii. p. 478). But no person is equal in his productions, especially one whose style is so little formed as Mary's must be supposed to be. Not to mention that such dangerous and criminal enterprises leave little tranquillity of mind for elegant poetical compositions.

In a word, Queen Mary might easily have conducted the whole conspiracy against her husband without opening her mind to any one person except Bothwell, and without writing a scrap of paper about it; but it was very difficult to have conducted it so that her conduct should not betray her to men of discern-



ment. In the present case her conduct was so gross as to betray her to everybody; and fortune threw into her enemies' hands papers by which they could convict her. The same infatuation and imprudence, which happily is the usual attendant of great crimes, will account for both. It is proper to observe that there is not one circumstance of the foregoing narrative contained in the history that is taken from Knox, Buchanan, or even Thuanus, or indeed from any suspected authority.

## NOTE [X], p. 319.

Unless we take this angry accusation advanced by Queen Mary to be an argument of Murray's guilt, there remains not the least presumption which should lead us to suspect him to have been anywise an accomplice in the king's murder. The queen never pretended to give any proof of the charge; and her commissioners affirmed at the time that they themselves knew of none, though they were ready to maintain its truth by their mistress's orders, and would produce such proof as she should send them. It is remarkable that at that time it was impossible for either her or them to produce any proof, because the conferences before the English commissioners were previously broken off.

It is true the Bishop of Ross, in an angry pamphlet written by him under a borrowed name (where it is easy to say anything), affirms that Lord Herreis, a few days after the king's death, charged Murray with the guilt openly to his face at his own table. This latter nobleman, as Lesly relates the matter, affirmed that Murray, riding in Fife with one of his servants the evening before the commission of that crime, said to him, among other talk, "This night ere morning the Lord Darnley shall lose his life" (see Anderson, vol. i. p. 75). But this is only a hearsay of Lesly's concerning a hearsay of Herreis's, and contains a very improbable fact. Would Murray without any use or necessity communicate to a servant such a dangerous and important secret, merely by way of conversation? We may also observe that Lord Herreis himself was one of Queen Mary's commissioners who accused Murray. Had he ever heard this story or given credit to it, was not that the time to have produced it? and not have affirmed, as he did, that he, for his part, knew nothing of Murray's guilt (see Goodall, vol. ii. p. 307).

The Earls of Huntley and Argyle accuse Murray of this crime; but the reason which they assign is ridiculous. He had given his consent to Mary's divorce from the king; therefore he was the king's murderer (see Anderson, vol. iv. part 2, p. 192). It is a sure argument that these earls knew no better proof against Murray, otherwise they would have produced it and not have insisted on so absurd a presumption. Was not this also the time for Huntley to deny his writing Mary's contract with Bothwell, if that paper had been a forgery?

Murray could have no motive to commit that crime. The king indeed bore him some ill-will; but the king himself was become so despicable, both from his own ill-conduct and the queen's aversion to him, that he could neither do good nor harm to anybody. To judge by the event in any case is always absurd, especially in the present. The king's murder indeed procured Murray the regency; but much more Mary's ill-conduct and imprudence, which he could not possibly foresee, and which never would have happened had she been entirely innocent.

## NOTE [Y], p. 319.

I believe there is no reader of common-sense who does not see from the narrative in the text that the author means to say that Queen Mary refuses constantly to answer before the English commissioners, but offers only to answer in person before Queen Elizabeth in person, contrary to her practice during the whole course of the conference, till the moment the evidence of her being an accomplice in her husband's murder is unexpectedly produced. It is true the author, having repeated four or five times an account of this demand of being admitted to Elizabeth's presence, and having expressed his opinion that, as it had been refused from the beginning, even before the commencement of the conferences, she did not expect it would now be complied with, thought it impossible his meaning could be misunderstood (as indeed it was impossible); and not being willing to tire his reader with continual repetitions, he mentions in a passage or two, simply, that she had refused to make any answer. I believe, also, there is no reader of common-sense who peruses Anderson's or Goodall's collections and does not see that, agreeably to his narrative, Queen Mary insists unalterably and strenuously on not continuing to answer before the English commissioners, but insists to be heard in person by Queen Elizabeth in person; though once or twice, by way of bravado, she says simply that she will answer and refute her enemies,



without inserting this condition, which still is understood. But there is a person that has written an *Enquiry, historical and critical, into the Evidence against Mary, Queen of Scots*, and has attempted to refute the foregoing narrative. He quotes a single passage of the narrative in which Mary is said simply to refuse answering; and then a single passage from Goodall, in which she boasts simply that she will answer, and he very civilly and almost directly calls the author a liar on account of this pretended contradiction. The whole *Enquiry* from beginning to end is composed of such scandalous artifices; and from this instance the reader may judge of the candor, fair dealing, veracity and good manners of the Enquirer. There are, indeed, three events in our history which may be regarded as touch-stones of party men. An English Whig who asserts the reality of the Popish plot, an Irish Catholic who denies the massacre in 1641, and a Scotch Jacobite who maintains the innocence of Queen Mary, must be considered as men beyond the reach of argument or reason, and must be left to their prejudices.

## NOTE [Z], p. 336.

By Murden's state papers, published after the writing of this history, it appears that an agreement had been made between Elizabeth and the regent for the delivering up of Mary to him. The Queen afterwards sent down Killigrew to the Earl of Marre when regent, offering to put Mary into his hands. Killigrew was instructed to take good security from the regent that the Queen should be tried for her crimes, and that the sentence should be executed upon her. It appears that Marre rejected the offer, because we hear no more of it.

## NOTE [AA], p. 338.

Sir James Melvil (pp. 108, 109) ascribes to Elizabeth a positive design of animating the Scotch factions against each other; but his evidence is too inconsiderable to counterbalance many other authorities, and is indeed contrary to her subsequent conduct as well as her interest and the necessity of her situation. It was plainly her interest that the king's party should prevail, and nothing could have engaged her to stop their progress, or even forbear openly assisting them, but her intention of still amusing the Queen of Scots by the hopes of being peaceably restored to her throne (see, farther, Strype, vol. ii. Append. p. 20).

## NOTE [BB], p. 394.

THAT the queen's negotiations for marrying the Duke of Anjou were not feigned nor political appears clearly from many circumstances, particularly from a passage in Dr. Forbes's manuscript collections, at present in the possession of Lord Royston. She there enjoins Walsingham, before he opens the treaty, to examine the person of the duke; and, as that prince had lately recovered from the small-pox, she desires her ambassador to consider whether he yet retained so much of his good looks as that a woman could fix her affections on him. Had she not been in earnest, and had she only meant to amuse the public or the court of France, this circumstance was of no moment.

## NOTE [CC], p. 410.

D'Ewes, p. 328. The puritanical sect had indeed gone so far that a book of discipline was secretly subscribed by above five hundred clergymen; and the presbyterian government thereby established in the midst of the Church, notwithstanding the rigor of the prelates and of the high commission, so impossible is it by penal statutes, however severe, to suppress all religious innovation (see Neal's *Hist. of the Puritans*, vol. i. p. 483; Strype's *Life of Whitgift*, p. 291).

## NOTE [DD], p. 412.

This year the Earl of Northumberland, brother to the earl beheaded some years before, had been engaged in a conspiracy with Lord Paget for the deliverance of the Queen of Scots. He was thrown into the Tower; and, being conscious that his guilt could be proved upon him—at least, that sentence would infallibly be pronounced against him—he freed himself from further prosecution by a voluntary death: he shot himself in the breast with a pistol. About the same time the Earl of Arundel, son of the unfortunate Duke of Norfolk, having entered into some exceptionable measures, and reflecting on the unhappy fate which had attended his family, endeavored to depart secretly beyond sea, but was discovered

and thrown into the Tower. In 1587, this nobleman was brought to his trial for high treason, chiefly because he had dropped some expressions of affection to the Spaniards, and had affirmed that he would have masses said for the success of the Armada. His peers found him guilty of treason. This severe sentence was not executed; but Arundel never recovered his liberty. He died a prisoner in 1595. He carried his religious austerities so far that they were believed the immediate cause of his death.

## NOTE [EE], p. 423.

Mary's extreme animosity against Elizabeth may easily be conceived, and it broke out about this time in an incident which may appear curious. While the former queen was kept in custody by the Earl of Shrewsbury, she lived during a long time in great intimacy with the countess; but that lady entertaining a jealousy of an amour between her and the earl, their friendship was converted into enmity, and Mary took a method of revenge which at once gratified her spite against the countess and that against Elizabeth. She wrote to the queen, informing her of all the malicious scandalous stories which, she said, the Countess of Shrewsbury had reported of her; that Elizabeth had given a promise of marriage to a certain person, whom she afterwards often admitted to her bed; that she had been equally indulgent to Simier, the French agent, and to the Duke of Anjou; that Hatton was also one of her paramours, who was even disgusted with her excessive love and fondness; that though she was, on other occasions, avaricious to the last degree as well as ungrateful, and kind to very few, she spared no expense in gratifying her amorous passions; that notwithstanding her licentious amours, she was not made like other women, and all those who courted her marriage would in the end be disappointed; that she was so conceited of her beauty as to swallow the most extravagant flattery from her courtiers, who could not, on these occasions, forbear even sneering at her for her folly; that it was usual for them to tell her that the lustre of her beauty dazzled them like that of the sun, and they could not behold it with a fixed eye. She added that the countess had said that Mary's best policy would be to engage her son to make love to the queen; nor was there any danger that such a proposal would be taken for mockery, so ridiculous was the opinion which she had entertained of her own charms. She pretended that the countess had represented her as no less odious in her temper than prodigate in her manners and absurd in her vanity; that she had so beaten a young woman of the name of Scudamore as to break that lady's finger, and in order to cover over the matter, it was pretended that the accident had proceeded from the fall of a candlestick; that she had cut another across the hand with a knife who had been so unfortunate as to offend her. Mary added that the countess had informed her that Elizabeth had suborned Rolstone to pretend friendship to her in order to debauch her, and thereby throw infamy on her rival (see Murden's Stat Papers p 558). This imprudent and malicious letter was written a very little before the detection of Mary's conspiracy, and contributed, no doubt, to render the proceedings against her the more rigorous. How far all these imputations against Elizabeth can be credited may, perhaps, appear doubtful; but her extreme fondness for Leicester, Hatton, and Essex, not to mention Mountjoy and others, with the curious passages between her and Admiral Seymour (contained in Haynes) render her chastity very much to be suspected. Her self-conceit with regard to beauty we know from other undoubted authority to have been extravagant. Even when she was a very old woman she allowed her courtiers to flatter her with regard to her *excellent beauties* (Birch, vol. ii. pp. 442, 443). Her passionate temper may also be proved from many lively instances; and it was not unusual with her to beat her maids of honor (see the Sidney Papers, vol. ii. p. 38). The blow she gave to Essex before the privy council is another instance. There remains in the Museum a letter of the Earl of Huntingdon's, in which he complains grievously of the queen's pinching his wife very sorely on account of some quarrel between them. Had this princess been born in a private station, she would not have been very amiable; but her absolute authority, at the same time that it gave an uncontrolling swing to her violent passions, enabled her to compensate her infirmities by many great and signal virtues.

## NOTE [FF], p. 433.

Camden, p. 525. This evidence was that of Curle, her secretary, whom she allowed to be a very honest man; and who, as well as Nau, had given proofs of his integrity by keeping so long such important secrets from whose discovery he could have reaped the greatest profit. Mary, after all, thought that she had so little reason to complain of Curle's evidence that she took care to have him paid

a considerable sum by her will, which she wrote the day before her death (Goodall, vol. i. p. 413). Neither did she forget Nau, though less satisfied in other respects with his conduct (*ibid.*).

NOTE [GG], p. 433.

The detail of this conspiracy is to be found in a letter of the Queen of Scots to Charles Paget, her great confidant. This letter is dated the 20th of May, 1586, and is contained in Dr. Forbes's manuscript collections, at present in the possession of Lord Royston. It is a copy attested by Curle, Mary's secretary, and endorsed by Lord Burleigh. What proves its authenticity beyond question is, that we find in Murden's collection, p. 516, that Mary actually wrote that very day a letter to Charles Paget; and, farther, she mentions, in the manuscript letter, a letter of Charles Paget's of the 10th of April. Now, we find by Murden, p. 506, that Charles Paget did actually write her a letter of that date.

This violence of spirit is very consistent with Mary's character. Her maternal affection was too weak to oppose the gratification of her passions, particularly her pride, her ambition, and her bigotry. Her son, having made some fruitless attempts to associate her with him in the title, and having found the scheme impracticable on account of the prejudices of his Protestant subjects, at last desisted from that design, and entered into an alliance with England, without comprehending his mother. She was in such a rage at this undutiful behavior, as she imagined it, that she wrote to Queen Elizabeth that she no longer cared what became of him or herself in the world; the greatest satisfaction she could have before her death was to see him and all his adherents become a signal example of tyranny, ingratitude, and impiety, and undergo the vengeance of God for their wickedness. She would find in Christendom other heirs, and doubted not to put her inheritance in such hands as would retain the firmest hold of it. She cared not, after taking this revenge, what became of her body; the quickest death would then be the most agreeable to her. And she assured her that, if he persevered, she would disown him for her son, would give him her malediction, would disinherit him, as well of his present possessions as of all he could expect by her; abandoning him not only to her subjects to treat him as they had done her, but to all strangers to subdue and conquer him. It was in vain to employ menaces against her; the fear of death or other misfortune would never induce her to make one step or pronounce one syllable beyond what she had determined. She would rather perish with honor, in maintaining the dignity to which God had raised her, than degrade herself by the least pusillanimity or act what was unworthy of her station and of her race (Murden, pp. 566, 567).

James said to Courcelles, the French ambassador, that he had seen a letter under her own hand, in which she threatened to disinherit him, and said that he might betake him to the lordship of Darnley; for that was all he had by his father (Courcelles' Letter, a MS. of Dr. Campbell's). There is in Jebb, vol. ii. p. 573, a letter of hers, where she throws out the same menace against him.

We find this scheme of seizing the King of Scots, and delivering him into the hands of the pope or the King of Spain, proposed by Morgan to Mary (see Murden, p. 525). A mother must be very violent to whom one would dare to make such a proposal; but it seems she assented to it. Was not such a woman very capable of murdering her husband, who had so grievously offended her?

NOTE [HH], p. 434.

The volume of State Papers collected by Murden proves, beyond controversy, that Mary was long in close correspondence with Babington, pp. 513, 516, 532, 533. She entertained a like correspondence with Ballard, Morgan, and Charles Paget, and laid a scheme with them for an insurrection, and for the invasion of England by Spain, pp. 528, 531. The same papers show that there had been a discontinuance of Babington's correspondence, agreeably to Camden's narration. See State Papers, p. 513, where Morgan recommends it to Queen Mary to renew her correspondence with Babington. These circumstances prove that no weight can be laid on Mary's denial of guilt, and that her correspondence with Babington contained particulars which could not be avowed.

NOTE [II], p. 434.

There are three suppositions by which the letter to Babington may be accounted for without allowing Mary's concurrence in the conspiracy for assassinating Elizabeth. The first is, that which she seems herself to have embraced, that her

secretaries had received Babington's letter, and had, without any treacherous intention, ventured of themselves to answer it, and had never communicated the matter to her; but it is utterly improbable, if not impossible, that a princess of so much sense and spirit should, in an affair of that importance, be so treated by her servants who lived in the house with her, and who had every moment an opportunity of communicating the secret to her. If the conspiracy failed, they must expect to suffer the severest punishment from the court of England; if it succeeded, the lightest punishment which they could hope for from their own mistress must be disgrace on account of their temerity. Not to mention that Mary's concurrence was, in some degree, requisite for effecting the design of her escape, it was proposed to attack her guards while she was employed in hunting; she must therefore concert the time and place with the conspirators. The second supposition is, that these two secretaries were previously traitors; and, being gained by Walsingham, had made such a reply in their mistress's cipher as might involve her in the guilt of the conspiracy. But these two men had lived long with the Queen of Scots, had been entirely trusted by her, and had never fallen under suspicion either with her or her partisans. Camden informs us that Curle afterwards claimed a reward from Walsingham on pretence of some promise; but Walsingham told him that he owed him no reward, and that he had made no discoveries on his examination which were not known with certainty from other quarters. The third supposition is, that neither the queen nor the two secretaries, Nau and Curle, ever saw Babington's letter, or made any answer; but that Walsingham, having deciphered the former, forged a reply. But this supposition implies the falsehood of the whole story, told by Camden, of Gifford's access to the Queen of Scots's family, and Paulet's refusal to concur in allowing her servants to be bribed. Not to mention that as Nau's and Curle's evidence must, on this supposition, have been extorted by violence and terror, they would necessarily have been engaged, for their own justification, to have told the truth afterwards, especially upon the accession of James. But Camden informs us that Nau, even after that event, persisted still in his testimony.

We must also consider that the two last suppositions imply such a monstrous criminal conduct in Walsingham, and consequently in Elizabeth (for the matter could be no secret to her), as exceeds all credibility. If we consider the situation of things and the prejudices of the times, Mary's consent to Babington's conspiracy appears much more natural and probable. She believed Elizabeth to be a usurper and a heretic; she regarded her as a personal and violent enemy; she knew that schemes for assassinating heretics were very familiar in that age, and generally approved of by the court of Rome and the zealous Catholics. Her own liberty and sovereignty were connected with the success of this enterprise; and it cannot appear strange that where men of so much merit as Babington could be engaged, by bigotry alone, in so criminal an enterprise, Mary, who was actuated by the same motive, joined to so many others, should have given her consent to a scheme projected by her friends. We may be previously certain that if such a scheme was ever communicated to her, with any probability of success, she would assent to it, and it served the purpose of Walsingham and the English ministry to facilitate the communication of these schemes, as soon as they had gotten an expedient for intercepting her answer and detecting the conspiracy. Now, Walsingham's knowledge of the matter is a supposition necessary to account for the letter delivered to Babington.

As to the not punishing of Nau and Curle by Elizabeth, it never is the practice to punish lesser criminals who have given evidence against the principal.

But what ought to induce us to reject these three suppositions is, that they must, all of them, be considered as bare possibilities. The partisans of Mary can give no reason for preferring one to the other; not the slightest evidence ever appeared to support any one of them. Neither at that time, nor at any time afterwards, was any reason discovered by the numerous zealots at home and abroad who had embraced Mary's defence to lead us to the belief of any of these three suppositions; and even her apologists at present seem not to have fixed on any choice among these supposed possibilities. The positive proof of two very credible witnesses, supported by the other very strong circumstances, still remains unimpeached. Babington, who had an extreme interest to have communication with the Queen of Scots, believed he had found a means of correspondence with her, and had received an answer from her: he, as well as the other conspirators, died in that belief. There has not occurred, since that time, the least argument to prove that they were mistaken; can there be any reason, at present, to doubt the truth of their opinion? Camden, though a professed apologist for Mary, is constrained to tell the story in such a manner as evidently supposes her guilt. Such was the impossibility of finding any other consistent account, even by a man of parts who was a contemporary!

In this light might the question have appeared, even during Mary's trial. But



what now puts her guilt beyond all controversy is the following passage of her letter to Thomas Morgan, dated the 27th of July, 1586: "As to Babington, he hath both kindly and honestly offered himself and all his means to be employed any way I would; whereupon I hope to have satisfied him by two of my several letters since I had his: and the rather for that I opened him the way whereby I received his with your aforesaid" (Murden, p. 533). Babington confessed that he had offered her to assassinate the queen. It appears by this that she had accepted the offer; so that all the suppositions of Walsingham's forgery, or the temerity or treachery of her secretaries, fall to the ground.

NOTE [KK], p. 438.

This Parliament granted the queen a supply of a subsidy and two fifteenths. They adjourned, and met again after the execution of the Queen of Scots; when there passed some remarkable incidents, which it may be proper not to omit. We shall give them in the words of Sir Simon D'Ewes, pp. 410, 411, which are almost wholly transcribed from Townshend's Journal. On Monday, the 27th of February, Mr. Cope, first using some speeches touching the necessity of a learned ministry, and the amendment of things amiss in the ecclesiastical estate, offered to the House a bill and a book written; the bill containing a petition that it might be enacted that all laws now in force touching ecclesiastical government should be void, and that it might be enacted that this Book of Common Prayer now offered, and none other, might be received into the Church to be used. The book contained the form of prayer and administration of the sacraments, with divers rights and ceremonies to be used in the Church; and he desired that the book might be read. Whereupon Mr. Speaker in effect used this speech: For that her majesty before this time had commanded the House not to meddle with this matter, and that her majesty had promised to take order in those causes, he doubted not but to the good satisfaction of all her people, he desired that it would please them to spare the reading of it. Notwithstanding, the House desired the reading of it. Whereupon Mr. Speaker desired the clerk to read. And the clerk being ready to read it, Mr. Dalton made a motion against the reading of it, saying that it was not meet to be read, and it did appoint a new form of administration of the sacraments and ceremonies of the Church, to the discredit of the Book of Common Prayer and of the whole state; and thought that this dealing would bring her majesty's indignation against the House, thus to enterprize this dealing with those things which her majesty especially had taken into her own charge and direction. Whereupon Mr. Lewkenor spake, showing the necessity of preaching and of a learned ministry, and thought it very fit that the petition and book should be read. To this purpose spake Mr. Hurleston and Mr. Bainbrigg; and so the time being passed, the House broke up, and neither the petition nor book read. This done, her majesty sent to Mr. Speaker as well for this petition and book as for that other petition and book for the like effect that were delivered the last session of Parliament, which Mr. Speaker sent to her majesty. On Tuesday, the 28th of February, her majesty sent for Mr. Speaker, by occasion whereof the House did not sit. On Wednesday, the 1st day of March, Mr. Wentworth delivered to Mr. Speaker certain articles which contained questions touching the liberties of the House, and to some of which he was to answer, and desired they might be read. Mr. Speaker desired him to spare his motion until her majesty's pleasure was further known touching the petition and book lately delivered into the House; but Mr. Wentworth would not be so satisfied, but required his articles might be read. Mr. Wentworth introduced his queries by lamenting that he as well as many others were deterred from speaking by their want of knowledge and experience in the liberties of the House: and the queries were as follow: Whether this council were not a place for any member of the same here assembled, freely and without controulment of any person or danger of laws, by bill or speech to utter any of the griefs of this commonwealth whatsoever, touching the service of God, the safety of the prince and his noble realm? Whether that great honor may be done unto God, and benefit and service unto the prince and state, without free speech in this council that may be done with it? Whether there be any council which can make, add, or diminish from the laws of the realm but only this council of Parliament? Whether it be not against the orders of this council to make any secret or matter of weight which is here in hand known to the prince or any other, concerning the high service of God, prince, or state, without the consent of the House? Whether the speaker or any other may interrupt any member of this council in his speech used in this House tending to any of the forenamed services? Whether the speaker may rise when he will, any matter being propounded, without consent of the House or not? Whether the speaker may overrule the House in any matter or cause there in

question, or whether he is to be ruled or overruled in any matter or not? Whether the prince and state can continue, and stand, and be maintained, without this council of Parliament, not altering the government of the state? At the end of these questions, says Sir Simon D'Ewes, I found set down this short note or memorial ensuing: By which it may be perceived, both what Sergeant Puckering, the speaker, did with the said questions after he had received them, and what became also of this business, viz.: "These questions Mr. Puckering pocketed up and showed Sir Thomas Henage, who so handled the matter that Mr. Wentworth went to the Tower, and the questions not at all moved. Mr. Buckler, of Essex, herein brake his faith in forsaking the matter, etc., and no more was done." After setting down, continues Sir Simon D'Ewes, the said business of Mr. Wentworth in the original journal book, there follows only this short conclusion of the day itself, viz.,: "This day, Mr. Speaker being sent for to the queen's majesty, the House departed." On Thursday, the 2d of March, Mr. Cope, Mr. Lewkenor, Mr. Hurleston, and Mr. Bainbrigg were sent for to my lord chancellor, and by divers of the privy council, and from thence were sent to the Tower. On Saturday, the 4th day of March, Sir John Higham made a motion to this House, for that divers good and necessary members thereof were taken from them, that it would please them to be humble petitioners to her majesty for the restitution of them again to this House. To which speeches Mr. Vice-chamberlain answered that if the gentlemen were committed for matter within the compass of the privilege of the House, then there might be a petition; but if not, then we should give occasion to her majesty's further displeasure; and therefore advised to stay until they heard more, which could not be long; and, further, he said, touching the book and the petition, her majesty had, for divers good causes best known to herself, thought fit to suppress the same without any further examination thereof; and yet thought it very unfit for her majesty to give any account of her doings. But, whatsoever Mr. Vice-chamberlain pretended, it is most probable these members were committed for intermeddling with matters touching the Church, which her majesty had often inhibited, and which had caused so much disputation and so many meetings between the two Houses the last Parliament.

This is all we find of the matter in Sir Simon D'Ewes and Townshend; and it appears that those members who had been committed were detained in custody till the queen thought proper to release them. These questions of Mr. Wentworth are curious, because they contain some faint dawn of the present English constitution, though suddenly eclipsed by the arbitrary government of Elizabeth. Wentworth was, indeed, by his Puritanism as well as his love of liberty (for these two characters of such unequal merit arose and advanced together), the true forerunner of the Hampdens, the Pym's, and the Hollises, who, in the next age, with less courage, because with less danger, rendered their principals so triumphant. I shall only ask whether it be not sufficiently clear, from all these transactions, that in the two succeeding reigns it was the people who encroached upon the sovereign, not the sovereign who attempted, as is pretended, to usurp upon the people?

#### NOTE [LL], p. 465.

The queen's speech in the camp of Tilbury was in these words: "My loving people, we have been persuaded, by some that are careful of our safety, to take heed how we commit ourselves to armed multitudes, for fear of treachery; but assure you I do not desire to live to distrust my faithful and loving people. Let tyrants fear. I have always so behaved myself that, under God, I have placed my chiefest strength and safeguard in the loyal hearts and good-will of my subjects. And therefore I am come among you at this time, not as for my recreation or sport, but being resolved, in the midst and heat of the battle, to live or die among you all; to lay down for my God and for my kingdom and for my people, my honor and my blood, even in the dust. I know I have but the body of a weak and feeble woman, but I have the heart of a king, and of a king of England too; and think foul scorn that Parma or Spain, or any prince of Europe, should dare to invade the borders of my realms; to which, rather than any dishonor should grow by me, I myself will take up arms; I myself will be your general, judge, and rewarder of every one of your virtues in the field. I know already, by your forwardness, that you have deserved rewards and crowns; and we do assure you, on the word of a prince, they shall be duly paid you. In the meantime my lieutenant-general shall be in my stead, than whom never prince commanded a more noble and worthy subject; not doubting by your obedience to my general, by your concord in the camp, and your valor in the field, we shall shortly have a famous victory over those enemies of my God, of my kingdom, and of my people."

## NOTE [MM], p. 470.

Strype, vol. iii. p. 525. On the 4th of September, soon after the dispersion of the Spanish Armada, died the Earl of Leicester, the queen's great, but unworthy, favorite. Her affection for him continued till the last. He had discovered no conduct in any of his military enterprises, and was suspected of cowardice ; yet she entrusted him with the command of her armies during the danger of the Spanish invasion—a partiality which might have proved fatal to her had the Duke of Parma been able to land his troops in England. She had even ordered a commission to be drawn for him constituting him her lieutenant in the kingdoms of England and Ireland ; but Burleigh and Hatton represented to her the danger of intrusting such unlimited authority in the hands of any subject, and prevented the execution of that design. No wonder that a conduct so unlike the usual jealousy of Elizabeth gave reason to suspect that her partiality was founded on some other passion than friendship. But Elizabeth seemed to carry her affection to Leicester no further than the grave. She ordered his goods to be disposed of at a public sale, in order to reimburse herself of some debt which he owed her ; and her usual attention to money was observed to prevail over her regard to the memory of the deceased. The earl was a great hypocrite, a pretender to the strictest religion, an encourager of the Puritans, and a founder of hospitals.

## NOTE [NN], p. 470.

Strype, vol. iii. p. 542. Id. Append. p. 239. There are some singular passages in this last speech, which may be worth taking notice of, especially as they came from a member who was no courtier ; for he argues against the subsidy : “ And first,” says he, “ for the necessity thereof, I cannot deny ; but if it were a charge imposed upon us by her majesty's commandment, or a demand proceeding from her majesty by way of request, that I think there is not one among us all either so disobedient a subject in regard of our duty, or so unthankful a man in respect of the inestimable benefits which, by her, or from her, we have received, which would not with frank consent, both of voice and heart, most willingly submit himself thereunto, without any unreverend inquiry into the causes thereof ; for it is continually in the mouth of us all that our lands, goods, and lives are at our prince's disposing. And it agreeth very well with that position of the civil law which sayeth, *Quod omnia regis sunt*. But how ? *Ita tamen ut omnium sint*. *Ad regem enim potestas omnium pertinet ; ad singulos proprietates*. So that although it be most true that her majesty hath over ourselves and our goods *potestatem imperandi*, yet it is true that until that power command (which, no doubt, will not command without very just cause), every subject hath his own *proprietatem possidendi*. Which power and commandment from her majesty, which we have not yet received, I take it (saving reformation) that we are freed from the cause of necessity. And the cause of necessity is the dangerous estate of the commonwealth,” etc. The tenor of the speech pleads rather for a general benevolence than a subsidy ; for the law of Richard III. against benevolence was never conceived to have any force. The member even proceeds to assert, with some precaution, that it was in the power of Parliament to refuse the king's demand of a subsidy ; and that there was an instance of that liberty in Henry III.'s time, near four hundred years before. *Sub fine*.

## NOTE [OO], p. 472.

We may judge of the extent and importance of these abuses by a speech of Bacon's against purveyors, delivered in the first session of the first Parliament of the subsequent reign, by which also we may learn that Elizabeth had given no redress to the grievances complained of. “ First,” says he, “ they take in kind what they ought not to take ; secondly, they take in quantity a far greater proportion that cometh to your majesty's use ; thirdly, they take in an unlawful manner—in a manner, I say, directly and expressly prohibited by the several laws. For the first, I am a little to alter their name ; for instead of takers they become taxers. Instead of taking provisions for your majesty's service, they tax your people *ad redimendam vexationem* ; imposing upon them and extorting from them divers sums of money, sometimes in gross, sometimes in the nature of stipends annually paid, *ne noceant*, to be freed and eased of their oppression. Again, they take trees, which by law they cannot do—timber trees, which are the beauty, countenance, and shelter of men's houses ; that men have long spared from their own purse and profit ; that men esteem for their use and delight above ten times the value ; that are a loss which men cannot repair or recover. These do they take



to the defacing and spoiling of your subjects' mansions and dwellings, except they may be compounded with to their own appetites. And if a gentleman be too hard for them while he is at home, they will watch their time when there is but a bailiff or a servant remaining, and put the axe to the root of the tree, ere ever the master can stop it. Again, they use a strange and most unjust exaction in causing the subjects to pay poundage of their own debts, due from your majesty unto them : so as a poor man, when he has had his hay, or his wood, or his poultry (which perchance he was full loath to part with, and had for the provision of his own family, and not to put to sale), taken from him, and that not at a just price, but under the value, and cometh to receive his money, he shall have after the rate of twelvecence in the pound abated for poundage of his due payment upon so hard conditions. Nay, further, they are grown to that extremity (as is affirmed, though it be scarce credible, save that in such persons all things are credible) that they will take double poundage, once when the debenture is made, and again the second time when the money is paid. For the second point, most gracious sovereign, touching the quantity which they take far above that which is answered to your majesty's use, it is affirmed unto me by divers gentlemen of good report, as a matter which I may safely avouch unto your majesty, that there is no pound profit which redoundeth unto your majesty in this course but induceth and begetteth three-pound damage upon your subjects, besides the discontentment. And to the end they may make their spoil more securely, what do they ? Whereas divers statutes do strictly provide that whatsoever they take shall be registered and attested, to the end that by making a collation of that which is taken from the country, and that which is answered above, their deceits might appear, they to the end to obscure their deceits, utterly omit the observation of this, which the law prescribeth. And therefore to descend, if it may please your majesty, to the third sort of abuse, which is of the unlawful manner of their taking, whereof this question is a branch, it is so manifold, as it rather asketh an enumeration of some of the particulars than a prosecution of all. For their price, by law they ought to take as they can agree with the subject ; by abuse, they take at an imposed and enforced price : by law, they ought to make but one appraisement by neighbors in the country ; by abuse, they make a second appraisement at the court gate ; and when the subjects' cattle come up many miles, lean and out of pligh by reason of their travel, then they prize them anew at an abated price ; by law, they ought to take between sun and sun ; by abuse, they take by twilight and in the night-time, a time well chosen for malefactors : by law, they ought not to take in the highways (a place by her majesty's high prerogative protected, and by statute by special words excepted) ; by abuse, they take in the highways ; by law, they ought to show their commission, etc. A number of other particulars there are," etc.—Bacon's Works, vol. iv. pp. 305, 306.

Such were the abuses which Elizabeth would neither permit her parliaments to meddle with nor redress herself. I believe it will readily be allowed that this slight prerogative alone, which has passed almost unobserved amid other branches of so much greater importance, was sufficient to extinguish all regular liberty. For what elector, or member of Parliament, or even jurymen, durst oppose the will of the court while he lay under the lash of such an arbitrary prerogative ? For a further account of the grievous and incredible oppressions of purveyors, see the Journals of the House of Commons, vol. i. p. 190. There is a story of a carter which may be worth mentioning on this occasion : "A carter had three times been at Windsor with his cart to carry away, upon summons of a remove, some part of the stuff of her majesty's wardrobe ; and when he had repaired thither once, twice, and the third time, and that they of the wardrobe had told him the third time that the remove held not, the carter, clapping his hand on his thigh, said, 'Now I see that the queen is a woman as well as my wife.' Which words being overheard by her majesty, who then stood at the window, she said, 'What a villain is this !' and so sent him three angels to stop his mouth."—Birch's Memoirs, vol. i. p. 155.

NOTE [PP], p. 480.

This year the nation suffered a great loss by the death of Sir Francis Walsingham, secretary of state—a man equally celebrated for his abilities and his integrity. He had passed through many employments, had been very frugal in his expense, yet died so poor that his family was obliged to give him a private burial. He left only one daughter, first married to Sir Philip Sidney, then to the Earl of Essex, favorite of Queen Elizabeth, and lastly to the Earl of Clancarde of Ireland. The same year died Thomas Randolph, who had been employed by the queen in several embassies to Scotland ; as did also the Earl of Warwick, elder brother to Leicester.



## NOTE [QQ], p. 483.

This action of Sir Richard Grenville is so singular as to merit a more particular relation. He was engaged alone with the whole Spanish fleet of fifty-three sail, which had ten thousand men on board; and from the time the fight began, which was about three in the afternoon, to the break of day next morning, he repulsed the enemy fifteen times, though they continually shifted their vessels and boarded with fresh men. In the beginning of the action he himself received a wound; but he continued doing his duty above deck till eleven at night, when, receiving a fresh wound, he was carried down to be dressed. During this operation he received a shot in the head, and the surgeon was killed by his side. The English began now to want powder; all their small-arms were broken or become useless; of their number, which were but a hundred and three at first, forty were killed, and almost all the rest wounded; their masts were beat overboard, their tackle cut in pieces, and nothing but a hulk left, unable to move one way or other. In this situation Sir Richard proposed to the ship's company to trust to the mercy of God, not to that of the Spaniards, and to destroy the ship with themselves, rather than yield to the enemy. The master gunner, and many of the seamen, agreed to this desperate resolution; but others opposed it and obliged Grenville to surrender himself prisoner. He died a few days after, and his last words were: "Here die I, Richard Grenville, with a joyful and quiet mind, for that I have ended my life as a true soldier ought to do, fighting for his country, queen, religion, and honor. My soul willingly departing from this body, leaving behind the lasting fame of having behaved as every valiant soldier is in his duty bound to do." The Spaniards lost in this sharp though unequal action four ships and about a thousand men; and Grenville's vessel perished soon after with two hundred Spaniards in her.—Hackluyt's *Voyages*, vol. i. part ii. p. 169. Camden, p. 565.

## NOTE [RR], p. 500.

It is usual for the speaker to disqualify himself for the office; but the reasons employed by this speaker are so singular that they may be worth transcribing. "My estate," said he, "is nothing correspondent for the maintenance of this dignity; for my father, dying, left me a younger brother, and nothing to me but my bare annuity. Then, growing to man's estate and some small practice of the law, I took a wife, by whom I have had many children; the keeping of us all being a great impoverishing to my estate, and the daily living of us all nothing but my daily industry. Neither from my person nor my nature doth this choice arise. For he that supplieth this place ought to be a man big and comely, stately and well-spoken, his voice great, his carriage majestic, his nature haughty, and his purse plentiful and heavy; but, contrarily, the stature of my body is small, myself not so well-spoken, my voice low, my carriage lawyer-like and of the common fashion, my nature soft and bashful, my purse thin, light, and never yet plentiful. If Demosthenes, being so learned and eloquent as he was, one whom none surpassed, trembled to speak before Phocion at Athens, how much more shall I, being unlearned and unskilful to supply the place of dignity, charge, and trouble to speak before so many Phocians as here be? Yea, which is the greatest, before the unspeakable majesty and sacred personage of our dread and dear sovereign; the terror of whose countenance will appal and abase even the stoutest hearts; yea, whose very name will pull down the greatest courage; for how mightily do the estate and name of a prince deject the haughtiest stomach even of their greatest subjects!"—D'Ewes, p. 459.

## NOTE [SS], p. 505.

Cabala, p. 234. Birch's *Memoirs*, vol. ii. p. 386. Speed, p. 877. The whole letter of Essex is so curious and so spirited that the reader may not be displeased to read it. "My very good Lord,—Though there is not that man this day living whom I would sooner make judge of any question that might concern me than yourself, yet you must give me leave to tell you that in some cases I must appeal from all earthly judges; and if any, then surely in this, when the highest judge on earth has imposed on me the heaviest punishment, without trial or hearing. Since, then, I must either answer your lordship's argument or else forsake mine own just defence, I will force mine aching head to do me service for an hour. I must first deny my discontent, which was forced to be a humorous discontent; and that it was unseasonable, or is of so long continuing, your lordship should rather condole with me than expostulate. Natural seasons are expected here

below ; but violent and unseasonable storms come from above. There is no tempest equal to the passionate indignation of a prince ; nor yet at any time so unreasonable as when it lighteth on those that might expect a harvest of their careful and painful labors. He that is once wounded must needs feel smart till his hurt is cured or the part hurt becomes senseless ; but cure I expect none, her majesty's heart being obdurate against me ; and be without sense I cannot, being of flesh and blood. But, say you, I may aim at the end. I do more than aim ; for I see an end of all my fortunes ; I have set an end to all my desires. In this course do I anything for my enemies ? When I was at court I found them absolute ; and therefore I had rather they should triumph alone than have me attendant upon their chariots. Or do I leave my friends ? When I was a courtier, I could yield them no fruit of my love unto them ; and now that I am a hermit they shall bear no envy for their love towards me. Or do I forsake myself because I do enjoy myself ? Or do I overthrow my fortunes because I build not a fortune of paper walls, which every puff of wind bloweth down ? Or do I ruinate my honor because I leave following the pursuit, or wearing the false badge or mark of the shadow of honor ? Do I give courage or comfort to the foreign foe because I reserve myself to encounter with him ? Or because I keep my heart from business, though I cannot keep my fortune from declining ? No, no, my good lord, I give every one of these considerations its due weight ; and the more I weigh them, the more I find myself justified from offending in any of them. As for the two last objections, that I forsake my country when it hath most need of me, and fail in that indissoluble duty which I owe to my sovereign, I answer that if my country had at this time any need of my public service, her majesty that governeth it would not have driven me to a private life. I am tied to my country by two bonds—one public, to discharge carefully and industriously that trust which is committed to me ; the other private, to sacrifice for it my life and carcass, which hath been nourished in it. Of the first I am free, being dismissed, discharged, and disabled by her majesty ; of the other, nothing can free me but death ; and, therefore, no occasion of my performance shall sooner offer itself but I shall meet it half-way. The indissoluble duty which I owe unto her majesty is only the duty of allegiance, which I never have nor never can fail in ; the duty of attendance is no indissoluble duty. I owe her majesty the duty of an earl, and of lord marshal of England. I have been content to do her majesty the service of a clerk ; but I can never serve her as a villain or slave. But yet you say I must give way unto the time. So I do ; for now that I see the storm come, I have put myself into the harbor. Seneca saith, we must give way to fortune ; I know that fortune is both blind and strong, and therefore I go as far as I can out of her way. You say the remedy is not to strive. I neither strive nor seek for remedy. But you say I must yield and submit ; I can neither yield myself to be guilty, nor allow the imputation laid upon me to be just. I owe so much to the Author of all truth as I can never yield truth to be falsehood, nor falsehood to be truth. Have I given cause, you ask, and yet take a scandal when I have done ? No ; I gave no cause, not so much as Fimbria's complaint against me ; for I did *totum telum corpore recipere*, receive the whole sword into my body. I patiently bear all, and sensibly feel all that I then received, when this scandal was given me. Nay, more, when the vilest of all indignities are done unto me," etc. This noble letter Bacon afterwards, in pleading against Essex, called bold and presumptuous, and derogatory to her majesty.—Birch's Memoirs, vol. ii. p. 388.

NOTE [TT], p. 526.

Most of Queen Elizabeth's courtiers feigned love and desire towards her, and addressed themselves to her in the style of passion and gallantry. Sir Walter Raleigh, having fallen into disgrace, wrote the following letter to his friend, Sir Robert Cecil, with a view, no doubt, of having it shown to the queen : " My heart was never broke till this day, that I hear the queen goes away so far off, whom I have followed so many years, with so great love and desire, in so many journeys, and am now left behind her in a dark prison all alone. While she was yet near at hand, that I might hear of her once in two or three days, my sorrows were the less ; but even now my heart is cast into the depth of all misery. I, that was wont to behold her riding like Alexander, hunting like Diana, walking like Venus, the gentle wind blowing her fair hair about her pure cheeks, like a nymph ; sometimes sitting in the shade like a goddess, sometimes singing like an angel, sometimes playing like Orpheus ; behold the sorrow of this world ! once amiss hath bereaved me of all. O glory, that only shineth in misfortune ! what is become of thy assurance ? All wounds have scars, but that of fantasy ; all affections their relenting, but that of womankind. Who is the judge of friend-ship but adversity, or when is grace witnessed but in offences ? There were no divinity but by rea-

son of compassion ; for revenges are brutish and mortal. All those times past, the loves, the sighs, the sorrows, the desires, cannot they weigh down one frail misfortune ? Cannot one drop of gall be hid in so great heaps of sweetness ? I may then include, *Spes et fortuna, valet*. She is gone in whom I trusted ; and of me hath not one thought of mercy, nor any respect of that which was. Do with me now, therefore, what you list. I am more weary of life than they are desirous I should perish ; which if it had been for her, as it is by her, I had been too happily born.”—Murden, p. 657.

It is to be remarked that this nymph, Venus, goddess, angel, was then about sixty. Yet, five or six years after, she allowed the same language to be held to her. Sir Henry Unton, her ambassador in France, relates to her a conversation which he had with Henry IV. That monarch, after having introduced Unton to his mistress, the fair Gabrielle, asked him how he liked her ? “ I answered sparingly in her praise,” said the minister ; “ and told him that if, without offence, I might speak it, I had the picture of a far more excellent mistress, and yet did her picture come far short of her perfection of beauty. ‘ As you love me,’ said he, ‘ show it me, if you have it about you.’ I made some difficulties, yet, upon his importunity, offered it to his view very secretly, holding it still in my hand. He beheld it with passion and admiration, saying that I had reason, ‘ Je me rends,’ protesting that he had never seen the like ; so with great reverence he kissed it twice or thrice, I detaining it still in my hand. In the end, with some kind of contention, he took it from me, vowing that I might take my leave of it, for he would not forego it for any treasure ; and that to possess the favor of the lovely picture, he would forsake all the world and hold himself most happy, with many other most passionate speeches.”—Murden, p. 718. For further particulars on this head, see the ingenious author of *The Catalogue of Royal and Noble Authors*, art. Essex.

## NOTE [UU], p. 542.

It may not be amiss to subjoin some passages of these speeches, which may serve to give us a just idea of the government of that age, and of the political principles which prevailed during the reign of Elizabeth. Mr. Laurence Hyde proposed a bill entitled *An Act for the Explanation of the Common Law in Certain Cases of Letters Patent*. Mr. Spicer said, “ This bill may touch the prerogative royal, which, as I learned the last Parliament, is so transcendent that the — of the subject may not aspire thereunto. Far be it, therefore, from me that the state and prerogative royal of the prince should be tied by me or by the act of any other subject.” Mr. Francis Bacon said, “ As to the prerogative royal of the prince, for my own part, I ever allowed of it ; and it is such as I hope will never be discussed. The queen, as she is our sovereign, hath both an enlarging and restraining power. For by her prerogative she may set at liberty things restrained by statute law or otherwise ; and, secondly, by her prerogative she may restrain things which be at liberty. For the first, she may grant a *non obstante* contrary to the penal laws. With regard to monopolies and such-like cases, the case hath ever been to humble ourselves unto her majesty, and by petition desire to have our grievances remedied, especially when the remedy touched her so nigh in point of prerogative. I say, and I say it again, that we ought not to deal, to judge, or meddle with her majesty’s prerogative. I wish, therefore, every man to be careful of this business.” Dr. Bennett said, “ He that goeth about to debate her majesty’s prerogative had need to walk warily.” Mr. Laurence Hyde said, “ For the bill itself, I made it, and I think I understand it ; and far be it from this heart of mine to think, this tongue to speak, or this hand to write, anything either in prejudice or derogation of her majesty’s prerogative royal and the state.” “ Mr. Speaker, quoth Sergeant Harris, for aught I see, the House moveth to have this bill in the nature of a petition ; it must then begin with more humiliation. And truly, sir, the bill is good of itself, but the penning of it is somewhat out of course.” Mr. Montague said, “ The matter is good and honest, and I like this manner of proceeding by bill well enough in this matter. The grievances are great, and I would note only unto you thus much, that the last Parliament we proceeded by way of petition, which had no successful effect.” Mr. Francis More said, “ I know the queen’s prerogative is a thing curious to be dealt withal ; yet all grievances are not comparable. I cannot utter with my tongue, or conceive with my heart, the great grievances that the town and country for which I serve suffereth by some of these monopolies. It bringeth the general profit into a private hand, and the end of all this is beggary and bondage to the subjects. We have a law for the true and faithful currying of leather. There is a patent sets all at liberty, notwithstanding that statute. And to what purpose is it to do anything by act of Parliament when the queen will undo the same by her prerogative ? Out of the spirit of humiliation, Mr. Speaker, I do speak it, there is no



act of hers that hath been or is more derogatory to her own majesty, more odious to the subject, more dangerous to the commonwealth, than the granting of these monopolies." Mr. Martin said, "I do speak for a town that grieves and pines, for a country that groaneth and languisheth under the burden of monstrous and unconscionable substitutes to the monopolitans of starch, tin, fish, cloth, oil, vinegar, salt, and I know not what; nay, what not? The principalest commodities both of my town and country are engrossed into the hands of these blood-suckers of the commonwealth. If a body, Mr. Speaker, being let blood, be left still languishing without any remedy, how can the good estate of that body still remain? Such is the state of my town and country. The traffic is taken away, the inward and private commodities are taken away, and dare not be used without the license of these monopolitans. If these blood-suckers be still let alone to suck up the best and principalest commodities which the earth there hath given us, what will become of us, from whom the fruits of our own soil and the commodities of our own labor, which, with the sweat of our brows, even up to the knees in mire and dirt, we have labored for, shall be taken by warrant of supreme authority, which the poor subject dare not gainsay?" Mr. George Moore said, "We know the power of her majesty cannot be restrained by any act; why, therefore, should we thus talk? Admit we should make this statute with a *non obstante*, yet the queen may grant a patent with a *non obstante* to cross this *non obstante*. I think, therefore, it agreeth more with the gravity and wisdom of this House to proceed with all humbleness by petition than bill." Mr. Downland said, "As I would be no let or over-vehement in anything, so I am not sottish or senseless of the common grievance of the commonwealth. If we proceed by way of petition, we can have no more gracious answer than we had the last Parliament to our petition. But since that Parliament we have no reformation." Sir Robert Wroth said, "I speak, and I speak it boldly, these patentees are worse than ever they were." Mr. Hayward Townsend proposed that they should make suit to her majesty, not only to repeal all monopolies grievous to the subject, but also that it would please her majesty to give the Parliament leave to make an act that they might be of no more force, validity, or effect than they are at the common law, without the strength of her prerogative. Which though we might now do, and the act being so reasonable we might assure ourselves her majesty would not delay the passing thereof, yet we, her loving subjects, etc., would not offer, without her privity and consent (the cause so nearly touching her prerogative), or go about to do any such act.

On a subsequent day the bill against monopolies was again introduced, and Mr. Spicer said, "It is to no purpose to offer to tie her majesty's hands, by act of Parliament, when she may loosen herself at her pleasure." Mr. Davies said, "God hath given that power to absolute princes which he attributes to himself. '*Quid quod Dii estis.*'" (N. B. This axiom he applies to the Kings of England.) Mr. Secretary Cecil said, "I am servant to the queen, and before I would speak and give consent to a case that should debase her prerogative, or abridge it, I would wish that my tongue were cut out of my head. I am sure there were law-makers before there were laws," (meaning, I suppose, that the sovereign was above the laws). One gentleman went about to possess us with the execution of the law in an ancient record of 5 or 7 of Edward III.; likely enough to be true in that time when the king was afraid of the subject. If you stand upon law and dispute of the prerogative, hark ye what Bracton says, '*Prærogativam nostram nemo audeat disputare.*' And, for my own part, I like not these courses should be taken. And you, Mr. Speaker, should perform the charge her majesty gave unto you in the beginning of this Parliament, not to receive bills of this nature; for her majesty's ears be open to all grievances, and her hands stretched out to every man's petitions. When the prince dispenses with a penal law that is left to the alteration of sovereignty, that is good and irrevocable." Mr. Montague said, "I am loath to speak what I know, lest, perhaps, I should displease. The prerogative royal is that which is now in question, and which the laws of the land have ever allowed and maintained. Let us therefore apply by petition to her majesty."

After the Speaker told the House that the queen had annulled many of the patents, Mr. Francis More said, "I must confess, Mr. Speaker, I moved the House, both the last Parliament and this, touching this point; but I never meant (and I hope the House thinketh so) to set limits and bounds to the prerogative royal. He proceeds to move that thanks should be given to her majesty; and, also, that whereas divers speeches have been moved extravagantly in the House, which doubtless have been told her majesty, and, perhaps, ill-conceived of by her, Mr. Speaker would apologize and humbly crave pardon for the same." N. B. These extracts were taken by Townsend, a member of the House, who was no courtier; and the extravagance of the speeches seems rather to be on the other side. It will certainly appear strange to us that this liberty should be thought extravagant. However, the queen, notwithstanding her cajoling the House, was so ill satisfied with these proceedings that she spoke of them peevishly in her concluding speech,



and told them that she perceived that private respects with them were privately masked under public presence.—D'Ewes, p. 619.

There were some other topics in favor of prerogative, still more extravagant, advanced in the House this Parliament. When the question of the subsidy was before them, Mr. Sergeant Heyle said, "Mr. Speaker, I marvel much that the House should stand upon granting of a subsidy or the time of payment, when all we have is her majesty's, and she may lawfully at her pleasure take it from us; yea, she hath as much right to all our lands and goods as to any revenue of her crown." At which all the House hemmed and laughed and talked. "Well," quoth Sergeant Heyle, "all your hemming shall not put me out of countenance." So Mr. Speaker stood up and said, "It is a great disorder that this House should be so used." So the said sergeant proceeded, and when he had spoken a little while, the House hemmed again, and so he sat down. In his latter speech, he said he could prove his former position by precedents in the time of Henry III., King John, King Stephen, etc., which was the occasion of their hemming.—D'Ewes, p. 633. It is observable that Heyle was an eminent lawyer, a man of character.—Winwood, vol. i. p. 290. And though the House in general showed their disapprobation, no one cared to take him down or oppose these monstrous positions. It was also asserted this session that in the same manner as the Roman consul was possessed of the power of rejecting or admitting motions in the Senate, the Speaker might either admit or reject bills in the House.—D'Ewes, p. 677. The House declared themselves against this opinion; but the very proposal of it is a proof at what a low ebb liberty was at that time in England.

In the year 1591, the judges made a solemn decree that England was an absolute empire, of which the king was the head. In consequence of this opinion they determined that even if the act of the first of Elizabeth had never been made, the king was supreme head of the Church, and might have erected by his prerogative such a court as the ecclesiastical commission; for that he was the head of all his subjects. Now that court was plainly arbitrary. The inference is that his power was equally absolute over the laity. See Coke's Reports, p. 5: Cawdrey's case.

#### NOTE [XX], p. 564.

We have remarked before that Harrison, in bk. ii. ch. 11, says that in the reign of Henry VIII. there were hanged seventy-two thousand thieves and rogues (*besides other malefactors*); this makes about two thousand a year; but in Queen Elizabeth's time the same author says there were only between three and four hundred a year hanged for theft and robbery; so much had the times mended. But in our age there are not forty a year hanged for those crimes in all England. Yet Harrison complains of the relaxation of the laws, that there were so few such rogues punished in his time. Our vulgar prepossession in favor of the morals of former and rude ages is very absurd and ill-grounded. The same author says, ch. 10, that there were computed to be ten thousand gypsies in England—a species of banditti introduced about the reign of Henry VIII.; and he adds that there will be no way of extirpating them by the ordinary course of justice; the queen must employ martial law against them. That race has now almost totally disappeared in England, and even in Scotland, where there were some remains of them a few years ago. However arbitrary the exercise of martial law in the crown, it appears that nobody in the age of Elizabeth entertained any jealousy of it.

#### NOTE [YY], p. 572

Harrison, in his Description of Britain, printed in 1577, has the following passage, ch. 13: "Certes, there is no prince in Europe that hath a more beautiful sort of ships than the Queen's Majesty of England at this present; and those generally are of such exceeding force that two of them, being well appointed and furnished as they ought, will not let to encounter with three or four of them of other countries, and either bowge them or put them to flight, if they may not bring them home. The queen's highness hath at this present already made and furnished to the number of one-and-twenty great ships, which lie for the most part in Gillingham Road. Besides these, her grace hath other in hand also, of whom hereafter, as their turns do come about, I will not let to leave some further remembrance. She hath likewise three notable galleys, the Speedwell, the Tyeright, and the Black Galley, with a sight whereof, and the rest of the navy royal, it is incredible to say how marvellously her grace is delighted: and not without great cause, sith by their means her coasts are kept in quiet, and sundry foreign enemies put back which otherwise would invade us." After speaking of the mer-

chant-ships, which he says are commonly estimated at seventeen or eighteen hundred, he continues : " I add, therefore, to the end all men should understand somewhat of the *great masses of treasure* daily employed upon our navy, how there are few of those ships of the first and second sort (that is, of the merchant-ships), that, being apparelled and made ready to sail, are not worth one thousand pounds, or three thousand ducats at the least, if they should presently be sold. What shall we then think of the navy royal, of which some one vessel is worth two of the other, as the shipwright has often told me? It is possible that some covetous person, hearing this report, will either not credit at all, or suppose money so employed to be nothing profitable to the queen's coffers, as a good husband said once, when he heard that provisions should be made for armor, wishing the queen's money to be rather laid out to some speedier return of gain unto her grace ; but if he wist that the good keeping of the sea is the safeguard of our land, he would alter his censure and soon give over his judgment." Speaking of the forests, this author says, " An infinite deal of wood hath been destroyed within these few years, and I dare affirm that if wood do go so fast to decay in the next hundred years of grace as they have done, or are like to do, in this, it is to be feared that sea-coal will be good merchandise even in the city of London." Harrison's prophecy was fulfilled in a very few years ; for about 1615 there were two hundred sail employed in carrying coal to London. See Anderson, vol. i. p. 494.

## NOTE [ZZ], p. 577.

Life of Burleigh, published by Collins, p. 44. The author hints that this quantity of plate was considered only as small in a man of Burleigh's rank. His words are, " His plate was not above fourteen or fifteen thousand pounds." That he means pound weight is evident. For, by Burleigh's will, which is annexed to his life, that nobleman gives away, in legacies to friends and relations, near four thousand pounds' weight, which would have been above twelve thousand pounds sterling in value. The remainder he orders to be divided into two equal portions, the half to his eldest son and heir, the other half to be divided equally among his second son and three daughters. Were we, therefore, to understand the whole value of plate to be only fourteen or fifteen thousand pounds sterling, he left not the tenth of it to the heir of his family.

## NOTE [AAA], p. 577.

Harrison says, " The greatest part of our building in the cities and good towns of England consisteth only of timber, cast over with thick clay to keep out the wind. Certes, this rude kind of building made the Spaniards in Queen Mary's days to wonder ; but chiefly when they saw that large diet was used in many of these so homely cottages, inasmuch that one of no small reputation amongst them said after this manner : ' These English,' quoth he, ' have their houses made of sticks and dirt, but they fare commonly so well as the king.' Whereby it appeareth that he liked better of our good fare in such coarse cabins than of their own thin diet in their princely habitations and palaces. The clay with which our houses are commonly impanelled is either white, red, or blue."—Bk. ii. ch. 12. The author adds that the new houses of the nobility are commonly of brick or stone, and that glass windows were beginning to be used in England.

## NOTE [BBB], p. 579.

The following are the words of Roger Ascham, the queen's preceptor : " It is your shame (I speak to you all, you young gentlemen of England) that one maid should go beyond ye all in excellency of learning and knowledge of divers tongues. Point out six of the best-given gentlemen of this court, and all they together show not so much good-will, spend not so much time, bestow not so many hours daily, orderly, and constantly, for the increase of learning and knowledge as doth the queen's majesty herself. Yea, I believe that, besides her perfect readiness in Latin, Italian, French, and Spanish, she readeth here now at Windsor more Greek every day than some prebendary of this Church doth Latin in a whole week. Among all the benefits which God had blessed me withal, next the knowledge of Christ's true religion, I count this the greatest, that it pleased God to call me to be one poor minister in setting forward these excellent gifts of learning," etc.—Page 242. " Truly," says Harrison, " it is a rare thing with us now to hear of a courtier which hath but his own language ; and to say how many gentlewomen and ladies there are that, besides sound knowledge of the Greek and Latin tongues,

are thereto no less skilful in the Spanish, Italian, and French, or in some one of them, it resteth not in me ; sith I am persuaded that as the noblemen and gentlemen do surmount in this behalf, so these come little or nothing at all behind them for their parts, which industry God continue ! The stranger that entereth in the court of England upon the sudden shall rather imagine himself to come into some public school of the university, where many give ear to one that readeth unto them, than into a prince's palace if you confer thus with those of other nations."—Description of Britain, bk. ii. ch. 15. By this account the court had profited by the example of the queen. The sober way of life practised by the ladies of Elizabeth's court appears from the same author. Reading, spinning, and needle-work occupied the elder ; music the younger.—Ibid.

## NOTE [CCC], p. 595.

Sir Charles Cornwallis, the king's ambassador at Madrid, when pressed by the Duke of Lerma to enter into a league with Spain, said to that minister, " Though his majesty was an *absolute* king, and therefore not bound to give an account to any of his actions, yet that so gracious and regardful a prince he was of the love and contentment of his own subjects, as I assured myself he would not think it fit to do anything of so great consequence without acquainting them with his intentions."—Winwood, vol. ii. p. 222. Sir Walter Raleigh has this passage in the preface to his History of the World : " Philip II., by strong hand and main force, attempted to make himself not only an *absolute monarch* over the Netherlands, like unto the kings and monarchs of England and France, but, Turk-like, to tread under his feet all their natural and fundamental laws, privileges, and ancient rights." We meet with this passage in Sir John Davis's Question concerning Impositions, p. 161 : " Thus we see by this comparison that the King of England doth lay but his little finger upon his subjects, when other princes and states do lay their heavy loins upon their people. What is the reason of this difference ? From whence cometh it ? Assuredly not from a different power or prerogative ; for the King of England is as *absolute* a monarch as any emperor or king in the world, and hath as many prerogatives incident to his crown." Coke, in Cawdrey's case, says " that by the ancient laws of this realm, England is an *absolute* empire and monarchy ; and that the king is furnished with plenary and entire power, prerogative, and jurisdiction, and is supreme governor over all persons within this realm." Spenser, speaking of some grants of the English kings to the Irish corporation, says, " All which, though at the time of their first grant they were tolerable, and perhaps reasonable, yet now are most unreasonable and inconvenient. But all these will easily be cut off with the superior power of her majesty's prerogative, against which her own grants are not to be pleaded or enforced."—State of Ireland, p. 1537, edit. 1706. The same author, in p. 1660, proposes a plan for the civilization of Ireland. That the queen should create a provost marshal in every county, who might ride about with eight or ten followers in search of stragglers and vagabonds. The first time he catches any he may punish them more lightly by the stocks ; the second time, by whipping ; but the third time he may hang them, without trial or process, on the first bough. And he thinks that this authority may more safely be intrusted to the provost marshal than to the sheriff ; because the latter magistrate, having a profit by the escheats of felons, may be tempted to hang innocent persons. Here a real *absolute* or rather despotic power is pointed out ; and we may infer from all these passages, either that the word *absolute* bore a different sense from what it does at present, or that men's ideas of the English as well as Irish government were then different. This latter inference seems juster. The word, being derived from the French, bore always the same sense as in that language. An *absolute* monarchy, in Charles I.'s answer to the nineteen propositions, is opposed to a limited ; and the King of England is acknowledged not to be *absolute*. So much had matters changed even before the civil war. In Sir John Fortescue's Treatise of Absolute and Limited Monarchy, a book written in the reign of Edward IV., the word *absolute* is taken in the same sense as at present ; and the government of England is also said not to be *absolute*. They were the princes of the house of Tudor chiefly who introduced that administration which had the appearance of *absolute* government. The princes before them were restrained by the barons, as those after them by the House of Commons. The people had, properly speaking, little liberty in either of these ancient governments, but least in the more ancient.

## NOTE [DDD], p. 596.

Even this Parliament, which showed so much spirit and good sense in the affairs of Goodwin, made a strange concession to the crown in their fourth session.



Toby Matthews, a member, had been banished by order of the council upon direction from his majesty. The Parliament not only acquiesced in this arbitrary proceeding, but issued writs for a new election. Such novices were they as yet in the principles of liberty! See Journal, 14th February, 1609. Matthews was banished by the king on account of his change of religion to popery. The king had an indulgence to those who had been educated Catholics, but could not bear the new converts. It was probably the animosity of the Commons against the papists which made them acquiesce in this precedent without reflecting on the consequences. The jealousy of liberty, though roused, was not yet thoroughly enlightened.

## NOTE [EEE], p. 598.

At that time men of genius and of enlarged minds had adopted the principles of liberty, which were as yet pretty much unknown to the generality of the people. Sir Matthew Hale has published a remonstrance against the king's conduct towards the Parliament during this session. The remonstrance is drawn with great force of reasoning and spirit of liberty; and was the production of Sir Francis Bacon and Sir Edwin Sandys, two men of the greatest parts and knowledge in England. It is drawn in the name of the Commons; but as there is no hint of it in the Journals, we must conclude either that the authors, sensible that the strain of the piece was much beyond the principles of the age, had not ventured to present it to the House, or that it had been for that reason rejected. The dignity and authority of the Commons are strongly insisted upon in this remonstrance; and it is there said that their submission to the ill-treatment which they received during the latter part of Elizabeth's reign had proceeded from their tenderness towards her age and her sex. But the authors are mistaken in these facts: for the house received and submitted to as bad treatment in the beginning and middle of that reign. The government was equally arbitrary in Mary's reign, in Edward's, and in Harry the Eighth's and Seventh's. And the further we go back into history, though there might be more of a certain irregular kind of liberty among the barons, the Commons were still of less authority.

## NOTE [FFF], p. 601.

This Parliament passed an act of recognition of the king's title in the most ample terms. They recognized and acknowledged that immediately upon the dissolution and decease of Elizabeth, late Queen of England, the imperial crown thereof did, by inherent birthright and lawful and undoubted succession, descend and come to his most excellent majesty, as being lineally, justly, and lawfully next and sole heir of the blood royal of this realm (1 James I. cap. 1). The Puritans, though then prevalent, did not think proper to dispute this great constitutional point. In the recognition of Queen Elizabeth, the Parliament declares that the queen's highness is, and in very deed and of most mere right ought to be, by the laws of God and by the laws and statutes of this realm, our most lawful and rightful sovereign, liege lady and queen, etc. It appears, then, that if King James's *divine right* be not mentioned by Parliament, the omission came merely from chance and because that phrase did not occur to the compiler of the recognition; his title being plainly the same with that of his predecessor, who was allowed to have a *divine right*.

## NOTE [GGG], p. 607.

Some historians have imagined that the king had secret intelligence of the conspiracy, and that the letter to Monteagle was written by his direction, in order to obtain the praise of penetration in discovering the plot. But the known facts refute this supposition. That letter, being commonly talked of, might naturally have given an alarm to the conspirators and made them contrive their escape. The visit of the lord chamberlain ought to have had the same effect. In short, it appears that nobody was arrested or inquired after for some days, till Fawkes discovered the names of the conspirators. We may infer, however, from a letter in Winwood's Memorials, vol. ii. p. 171, that Salisbury's sagacity led the king in his conjectures, and that the minister, like an artful courtier, gave his master the praise of the whole discovery.

## NOTE [HHH], p. 619.

We find the king's answer in Winwood's Memorials, vol. iii. p. 193, 2d edition, "To the third and fourth (namely, that it might be lawful to arrest the king's



servants without leave, and that no man should be enforced to lend money, nor to give a reason why he would not, his majesty sent us an answer. That because we brought precedents of antiquity to strengthen those demands, he allowed not of any precedents drawn from the time of usurping or decaying princes, or people too bold and wanton; that he desired not to govern in that commonwealth where subjects should be assured of all things and hope for nothing. It was one thing *submittere principatum legibus*, and another thing *submittere principatum subditis*. That he would not leave to posterity such a mark of weakness upon his reign; and therefore his conclusion was *non placet petitio, non placet exemplum*. Yet with this mitigation that in matters of loans he would refuse no reasonable excuse, nor should my lord chamberlain deny the arresting of any of his majesty's servants, if just cause was shown." The Parliament, however, acknowledged at this time, with thankfulness to the king, that he allowed disputes and inquiries about his prerogative much beyond what had been indulged by any of his predecessors.—Parliamentary History, vol. v. p. 230. This very session he expressly gave them leave to produce all their grievances without exception.

## NOTE [III], p. 622.

It may not be unworthy of observation that James, in a book called "The True Laws of Free Monarchies," which he published a little before his accession to the crown of England, affirmed "that a good king, although he be above the law, will subject and frame his actions thereto for example's sake to his subjects, and of his own free-will, but not as subject or bound thereto." In another passage, "According to the fundamental law already alleged, we daily see that in the Parliament (which is nothing else but the head court of the king and his vassals) the laws are but craved by his subjects, and only made by him at their roagation and with their advice. For albeit the king *make daily* statutes and ordinances, enjoining such pains thereto as he thinks meet without any advice of Parliament or estates, yet it lies in the power of no Parliament to make any kind of law or statute without his sceptre be to it for giving it the force of a law."—King James's Works, p. 202. It is not to be supposed that at such a critical juncture James had so little sense as directly, in so material a point, to have openly shocked what were the universal established principles of that age. On the contrary, we are told by historians that nothing tended more to facilitate his accession than the good opinion entertained of him by the English on account of his learned and judicious writings. The question, however, with regard to the royal power was at this time become a very dangerous point; and without employing ambiguous, insignificant terms, which determined nothing, it was impossible to please both king and Parliament. Dr. Cowell, who had magnified the prerogative in words too intelligible, fell this session under the indignation of the Commons.—Parliamentary History, vol. v. p. 221. The king himself, after all his magnificent boasts, was obliged to make his escape through a distinction which he framed between a king *in abstracto* and a king *in concreto*. An abstract king, he said, had all power; but a concrete king was bound to observe the laws of the country which he governed.—King James's Works, p. 533. But how bound? By conscience only? Or might his subjects resist him and defend their privileges? This he thought not fit to explain. And so difficult is it to explain that point that to this day, whatever liberties may be used by private inquirers, the laws have very prudently thought proper to maintain a total silence with regard to it.











